

The Gazette of India



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NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 15th September 1950 :—

Sl. No.	No. and Date	Issued by	Subject
1	S. R. O. 457, dated the 29th August 1950.	Ministry of Food	The Grams Stock (sales to Central Government) Order, 1950.
2	S. R. O. 497, dated the 1st September 1950.	Ministry of Agriculture.	Maximum prices of Vegetable oil products.
	S. R. O. 498, dated the 1st September 1950.	Ministry of Transport.	Further amendment in the Motor Spirit Rationing Order. 1941.
3	S. R. Os. 499—506, dated the 2nd September 1950.	Ministry of Industry and Supply.	Various restrictions on sale, stock, price, maintenance of records etc. of certain articles under the Supply and Prices of Goods Ordinance, 1950.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF LAW

New Delhi, the 6th September 1950

S.R.O. 511.—[In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President is pleased to direct that the following further amendment shall be made in the notification of the Government of India in

the Ministry of Law No. F.85-I/50-L dated the 26th January, 1950, relating to the execution of contracts and assurances of property, namely:—

In Part VII of the said notification, after entry 4 the following entry shall be added, namely:—

- “5. Security bonds for the due performance of their duties by Government servants employed in the Indian diplomatic missions in foreign countries, such as offices of the High Commissioners, Deputy High Commissioners and Commissioners, Embassies, Legations, Consulates-General and Consulates; by the Heads of Missions concerned.”

[No. F.35-V/50-L.]

New Delhi, the 9th September, 1950.

S.R.O. 512.—In exercise of the Powers conferred by rule 1. read with clause (a) of rule 8B of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908), the Central Government is pleased, in supersession of the notification of the Government of India in the Ministry of Law No. F. 80-I/48-L dated the 4th September, 1948, as subsequently modified, to authorise the officers specified in the Schedule annexed hereto to sign and verify plaints or written statements in any suit by or against the Central Government.

SCHEDULE

I. General.

Any Secretary, Joint Secretary, Deputy Secretary or Under Secretary to the Government of India.

Military Secretary to the President.

II. Ministry of Agriculture.

Vice-Chairman, Indian Council of Agricultural Research, New Delhi.

Agricultural Marketing Adviser to the Government of India, Delhi.

Director, Indian Institute of Sugar Technology, Kanpur.

Director, Indian Agricultural Research Institute. New Delhi.

Director, Central Potato Research Institute, Patna.

Director, Indian Veterinary Research Institute, Mukteswar/Izatnagar.

Director of Dairy Research, Bangalore.

Dairy Husbandry Officer, Indian Dairy Research Institute, Bangalore.

Director, Zoological Survey of India, Calcutta.

Surveyor General of India.

Directors, Survey of India.

Deputy Directors, Survey of India.

Superintending Surveyors, Survey of India.

The President, Forest Research Institute and College, Dehra Dun.

Curator, Industrial Section of the Indian Museum, Calcutta.

Plant Protection Adviser to the Govt of India.

Director, Locust Control, India.

Chairman, Central Tractor Organization, New Delhi.

Director, Botanical Survey of India, Calcutta.

Director, Central Rice Research Institute, Cuttack.

Principal, Central College of Agriculture, Delhi.

Superintendent, Cattle Breeding Research Station, Jubbulpore.

III. Ministry of Commerce.

Mercantile Marine

Director General of Shipping, Bombay.

Principal Officer, Mercantile Marine Department, Madras District, Madras.

Principal Officer, Mercantile Marine Department, Bombay District, Bombay.

Principal Officer, Mercantile Marine Department, Calcutta District, Calcutta.

Captain Superintendent, Training Ship "Dufferin", Bombay.

Director, Marine Engineering Training, Bombay.

Principal, Nautical Engineering College, Bombay.

Lighthouses.

Superintendents of Lighthouses.

Commercial Intelligence and Statistics

Director of Commercial Intelligence, Calcutta.

IV. Ministry of Communications.

Civil Aviation Department.

Aerodrome Officers and Assistant Aerodrome Officers-in-charge of Aerodromes.

The Controller of Aeronautical Inspection-in-charge, Southern Area, Bangalore.

Indian Meteorological Department.

Deputy Directors General.

Directors, Regional Meteorological Centres.

Director, Agricultural Meteorology.

Director, Colaba and Alibag Observatories, Colaba, Bombay.

Director, Solar Physics Observatory, Kodaikanal.

Government of India Overseas Communications Service.

General Manager.

Assistant General Manager.

Chief Engineer.

Deputy Chief Engineer.

General Traffic Manager.

Assistant Manager.

Engineers-in-Charge.

Indian Posts and Telegraphs Department

All Gazetted Officers.

V. Ministry of Defence.

Chief Administrative Officer.

Director, Military Lands and Cantonments.

Deputy Director, Military Lands and Cantonments.
 Military Estates Officer.
 Executive Officer, Mhow Cantonment.

Directorate of Ordnance Factories.

Director General, Ordnance Factories.
 Superintendent or Officer-in-Charge of Ordnance and Clothing Factories.

Army

Commander Corps.
 Principal Staff Officers or Directors at Army Headquarters.
 Commander, Area.
 Commander, Division.
 Commander, Independent Brigade Group.
 Commander, Independent Sub-Area.
 Commander, Sub-Area.
 Commander, Brigade.
 Commander, Brigade Area.
 Officer Commanding, Station.
 Officer Commanding, Unit Establishment.
 Director, Territorial Army.
 Chief Engineers.
 Deputy Chief Engineers.
 Commander, Works Engineers (CWE).
 Staff Officers Corps of Engineers I or II (S.O.I. or II).
 Deputy Commander, Works Engineers (DCWE).
 Assistant Commander, Works Engineers.
 Senior Barrack/Stores Officers.
 Garrison Engineers.
 Officer Commanding, Engineer Stores Depots.
 Director, Ministry of Defence Security Corps.
 Director of Mechanical Engineering.
 Director of Technical Development.

Indian Navy.

Chief of Naval Staff and Commander-in-Chief, Indian Navy.
 Deputy Commander-in-Chief and Chief of Staff, Indian Navy.
 Commodore-in-Charge, Bombay
 Commodore-in-Charge, Cochin.
 Naval Officer-in-Charge.
 Captain Superintendent of the Dockyard.
 Resident Naval Officers.
 Commanding Officers of Indian Ships or Naval Shore Establishments.

Indian Air Force.

Chief of the Air Staff and Commander-in-Chief, Indian Air Force.

Deputy Chief of Air Staff.

Air Officer-in-Charge of Personnel and Organisation.

Air Officer-in-Charge, Technical and Equipment Services.

Air or other Officer Commanding, Command.

Officer Commanding, Wing.

Officer Commanding, Station.

Officer Commanding, Squadron or other Unit.

VI. Ministry of Education.

Director of Archives, New Delhi.

Librarian, National Library, Calcutta.

Principal, Delhi Polytechnic, Delhi.

Director General of Archaeology in India.

Deputy Director General of Archaeology in India.

Superintendents, Archaeological Department.

Director, Anthropological Department.

The Principal, the Lawrence School, Sanawar (Simla Hills).

The Principal, the Lawrence School, Lovedale (Nilgiris).

The Principal, Central Institute of Education, Delhi.

The Principal, Central College, Qutab Road, Delhi.

The Director, Eastern Higher Technical Institute, Hijli.

VII. Ministry of Finance.

Mint Masters, Bombay and Calcutta.

Officer-in-Charge, Construction, New Mint, Alipore (Calcutta).

Master, India Security Press, Nasik Road.

Managers of Public Debt Offices at Calcutta, Bombay, Madras and Delhi.

Governor, Reserve Bank of India.

Financial Adviser and Chief Accounts Officer, Hirakud Project, Sambalpur, Orissa.

Indian Accounts and Audit Department

Comptroller and Auditor General of India.

Deputy Comptroller and Auditor General of India.

Additional Deputy Comptroller and Auditor General (Headquarters).

Additional Deputy Comptroller and Auditor General (States).

Accountants-General.

Comptrollers.

Chief Auditors of Indian Railways.

Director of Railway Audit.

Director of Audit, Defence Services.

Controller of Coal Accounts.

Military Accounts Department.

Military Accountant General.

All Controllers in the Military Accounts Department.

The Junior Controller of Military Accounts, Patna.

Revenue Division.

All Commissioners of Income-tax.

All Collectors of Customs.

All Collectors of Central Excise.

VIII. Ministry of Food.

Chief Director of Purchase.

IX. Ministry of Health.

Deputy Director General of Health Services.

Assistant Director General of Health Services (Stores).

Deputy Assistant Director General (Medical Stores), Government Medical Store Depots, Madras, Bombay and Calcutta.

Manager, Government Medical Store Depot, Karnal.

Principal, College of Nursing, New Delhi.

Director, Virus Laboratory, King Institute, Guindy (Madras).

Director, Malaria Institute of India, Delhi.

Director, Central Research Institute, Kasauli.

Serologist and Chemical Examiner to the Government of India, Calcutta.

Civil Surgeon, Simla East.

Director, Central Drugs Laboratory, Calcutta.

Assistant Drugs Controller (India), Bombay, Calcutta and Madras.

Director, All-India Institute of Hygiene and Public Health, Calcutta.

Port Health Officers, Madras, Bombay, Calcutta, Cochin and Vizagapatam.

Airport Health Officer, Bombay Airport (Santa Cruz), Bombay; Calcutta Airport (Dum Dum), Calcutta; Palam, Delhi; and Tiruchirappalli.

Director, B.C.G. Vaccine Laboratory, Guindy, Madras.

Director of Housing, Ministry of Health.

General Manager, Government Housing Factory, New Delhi.

X. Ministry of Industry and Supply.

Director General, Industries and Supplies.

Deputy Director General (Supplies).

Directors of Supplies.

Deputy Directors of Supplies.

Assistant Directors of Supplies.

Director of Administration and Co-ordination.

Deputy Director of Administration.

Deputy Director of Co-ordination.

Director of Government Test House.

*Directorate General,
Industries and Supplies.*

Director General of Disposals.

Deputy Directors General of Disposals.

Director of Administration and Co-ordination.

Directors of Disposals

Regional Commissioner of Disposals.

General Manager, Fertilizer Project.

Coal Commissioner.

Controller of Patents and Designs.

Superintendent, Mathematical Instruments Office.

Salt Controller.

Deputy Salt Controllers, Madras, Bombay and Headquarters.

General Manager, Rajputana Salt Sources Division, Sambhar Lake.

Assistant Salt Controller, Calcutta.

Director of Claims and Special Solicitor of the Ministry.

Assistant Director (Law).

XI. *Ministry of Information and Broadcasting.*

Principal Information Officer.

Director General, All India Radio.

Station Directors, All India Radio.

XII. *Ministry of Labour.*

Chief Labour Commissioner (Central), New Delhi.

Chief Adviser, Factories, New Delhi.

Controller of Emigrant Labour, Shillong.

Coal Mines Welfare Commissioner, Dhanbad.

Regional Directors of Resettlement and Employment.

Chief Inspector of Mines in India, Dhanbad.

Director, Labour Bureau, Simla.

Chairman, Central Government Industrial Tribunal, Calcutta and Dhanbad.

XIII. *Ministry of Law.*

Registrar, Income-tax Appellate Tribunal, Bombay

XIV. *Ministry of Rehabilitation.*

The Custodian General of Evacuee Property, New Delhi.

The Custodian of Evacuee Property, Delhi.

The Custodian of Evacuee Property, Ajmer.

XV. *Ministry of States.*

Regional Commissioner and Adviser, Madhya Bharat, Indore/Gwalior.

Regional Commissioner and Adviser, Rajasthan, Jaipur.

Regional Commissioner and Adviser, Patiala and East Punjab States Union,
Patiala.

Regional Commissioner and Adviser, Saurashtra, Rajkot.

XVI. *Ministry of Transport.*

Administrative Officer, Cochin Harbour.

Development Commissioner, Kandla.

} Directorate General of
Disposals.
}

XVII. Ministry of Works, Mines and Power.

Director, Central Water-power Irrigation and Navigation Research Station,
Poona.

Director, Geological Survey of India, Calcutta.

Chief Inspector of Explosives in India, New Delhi.

Principal, Indian School of Mines and Applied Geology, Dhanbad.

Chairman, Central Electricity Commission.

Chairman, Central Water-power Irrigation and Navigation Commission,
New Delhi.

Estate Officer.

Central Public Works Department

Chief Engineers.

Administrative Officer.

Superintending Engineers.

All Divisional Officers.

All Electrical Engineers.

Superintendent, Horticultural Operations.

Stationery and Printing

Controller of Printing and Stationery, India, New Delhi.

Deputy Controller, Stationery, Calcutta.

Government of India Presses

Managers, Government of India Presses, New Delhi, Simla and Calcutta.

Managers, Government of India Forms Presses, Calcutta and Aligarh.

Manager of Publications, Delhi.

XVIII. Prime Minister's Secretariat.

Principal Private Secretary to the Prime Minister.

XIX. Department of Parliamentary Affairs.

Secretary, Department of Parliamentary Affairs.

XX. Department of Scientific Research.

Secretary, Department of Scientific Research.

XXI. District Magistrates and Deputy Commissioners in West Bengal.**XXII. The Collector of Bombay.****XXIII. The Secretary to the Chief Commissioner, Andaman and Nicobar Islands.**

[No. F.33-III/50-L]

SHRI GOPAL SINGH, Dy. Secy.

MINISTRY OF STATES

New Delhi, the 5th September 1950

S.R.O. 513.—In exercise of the powers conferred by section 4 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that the power to make orders under section 3 of the said Act shall be exercisable also by the Chief Commissioners of Himachal Pradesh, Bilaspur, Kutch, Bhopal, Tripura, Vindhya Pradesh and Manipur, within their respective States, in relation to the commodities specified in the first

column of the Schedule hereto annexed and in respect of the matters specified in the provisions of the said section mentioned in the corresponding entries in the second column of the said Schedule, subject to the conditions that—

- (i) no order made in the exercise of the aforesaid powers shall have effect in so far as it is repugnant to any order made under the said section by the Central Government;
- (ii) no order made in the exercise of the aforesaid powers shall have effect so as to prohibit or restrict the export of any foodstuffs from any place in a State to a place outside India;
- (iii) the power to make an order in relation to foodstuffs in respect of any matter specified in clauses (a), (b), (c), (d), (f), and (g), of sub-section (2) of section 3 shall be subject to the previous approval of the Central Government.

THE SCHEDULE

<i>Commodities</i>	<i>Provision of section 3</i>
Iron and Steel.	All.
Cotton textiles.	Clauses (c), (d), (e), (f), (g), (h), (i) and (j) of sub section (2).
Coal	Clauses (c), (d), (e), (f), (h), (i) and (j) of sub-section (2) in respect of coal supplies received within their respective States from time to time against the quota fixed by the Central Government, subject to any orders made by the Central Government.
Foodstuffs, including sugar and gur but excluding gram and other pulses, edible oils and edible oil-seeds.	All.

[No. 115-J.]

New Delhi, the 6th September 1950

S.R.O. 514.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government is pleased to extend the Civil Procedure (Amendment) Act, 1922 (IX of 1922), to the States of Bilaspur, Bhopal, Kutch and Himachal Pradesh, subject to the following modification, namely:—

Sub-section (2) of Section 1 shall be omitted.

[No. 117-J.]

A. N. SACHDEV, Under Secy.

New Delhi, the 6th September 1950

S.R.O. 515.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government is pleased to extend to the State of Kutch the Bombay Non-Agriculturists Loans Act, 1928 (Bombay Act III of 1928) as at present in force in the State of Bombay, with the following modifications:—

- (1) For section 2, the following section shall be substituted, namely:—
“2. It extends to the whole of the State of Kutch”.
- (2) In section 4, for the figures “1927” the figures “1950” shall be substituted.
- (3) In section 6, for the words “State Government”, the words “Chief Commissioner” shall be substituted.

[No. 116-L.]

S. NARAYANSWAMY, Dy. Secy.

MINISTRY OF FINANCE (REVENUE DIVISION)

CUSTOMS

New Delhi, the 9th September 1950

S.R.O. 516.—In exercise of the powers conferred by section 6 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to appoint the following officers to be officers of customs and to exercise the powers conferred and to perform the duties imposed by the said Act on the said officers in the manner hereina prescribed namely:—

- (a) The Collector of Customs, Saurashtra, Jamnagar to be the Chief Customs Officer for all ports in the States of Saurashtra and Kutch and for the ports in the Amreli District of the State at Bombay and to be a Customs Collector for all such ports.
- (b) The Superintendents of Customs at Jamnagar, Okha, and Kutch-Bhuj, to be Customs Collectors at all ports within their respective charges.
- (c) The Deputy Superintendents of Customs at Bhavnagar, Porbandar, Morvi and Veraval and Deputy Superintendents of Central Excise, Amreli to be the Customs Collectors at all ports in their respective charges.
- (d) The Inspectors in charge of ports and all the supervisors in charge of Custom Houses to be Customs Collectors for the ports in their respective charges.

[No. 89.]

S.R.O. 517.—In exercise of the powers conferred by section 6 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to appoint, the Inspectors attached to the office of the Collector, of Customs, Saurashtra, Supervisors and guard duty peons at the ports in the Saurashtra Collectorate and ministerial officers borne on the Customs establishment of the ports in the Saurashtra Collectorate and of the office of the Collector of Customs, Saurashtra to be officers of Customs and to exercise powers conferred and to perform the duties imposed by the said Act on such officers.

[No. 90.]

S.R.O. 518.—In exercise of the powers conferred by clause (a) of section 157 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to make the following rules extending certain provisions of the said Act as shown below to coasting vessels:—

- (i) All the provisions of sections 54, 55, 57, 59, 60, 61, 62, 63, 64, 65, 66, 81, 82, 83, 85, 88, 136, 141, 142 and 143 of the Sea Customs Act are extended to all steamers and square rigged vessels engaged in the coasting trade other than vessels plying under a General Pass granted under section 164 Sea Customs Act subject to the following proviso:
 - (a) With the permission of the Collector of Customs the Master may deliver to the Customs Officer authorised to receive the same in lieu of the manifest in the form prescribed in section 55 an extract from the cargo book duly signed. Whenever this is allowed the Collector may require the agent of the vessel to produce the bills of lading covering every portion of the cargo for comparison with the manifest.

- (b) Applications for the entry outwards of a vessel may be granted at the same time as application for the entry inwards, and on a special cause shown, the Customs Collector may permit both such entries before the arrival of the vessel in port.
- (c) The Customs Collector may forthwith grant port clearance upon the agents furnishing a guarantee for the discharge of all claims.
- (d) Section 68 is so far extended that every application shall be made by or on behalf of the Master at least 4 hours before the intended departure of the vessel and that the provisions of section 55 relating to amendments of the import manifest shall *mutatis mutandis* apply to the export manifests and that an extract from the cargo book can be produced in lieu of the manifest.
- (e) Whenever goods are landed under the provisions of section 88 it shall be within the option of the Master of the vessel to carry free goods to the warehouse of the agent of the vessel instead of to the Custom House subject to any rules made by the Central Government.
- (ii) All provisions of sections 61, 83, 85, 88 and 136 are extended to all coasting vessels other than steamers and square rigged vessels and vessels plying under a general pass.

[No 91.]

S.R.O. 519.—In exercise of the powers conferred by clauses (b) and (c) of section 157 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to make the following rules —

- (i) the provisions of section 132, Sea Customs Act relating to free transshipment of stores shall not apply to coasting vessels of any kind.
- (ii) a vessel arriving at any Customs port under the jurisdiction of the Collector of Customs, Saurashtra, with dutiable stores on board shipped at a foreign port may when she is transferred to the regular coasting trade, carry such stores on payment of the duty chargeable thereon, provided that if they are intended for consumption after the vessel has re-entered the foreign trade, and shall have ceased to be a coasting vessel, such stores may be carried without payment of duty on then being sealed up under Customs seal kept unbroken until the vessel has obtained entry outwards for a foreign port.

[No 92]

S.R.O. 520.—In exercise of the powers conferred by section 188 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to empower the Collector of Customs Saurashtra to hear appeals from decisions and orders passed by the Officers of Customs subordinate to him, provided that if between the date of the order or decision and the date of the hearing of the appeal, the officer who passed the order or decision has been promoted to be the Collector of Customs by whom the appeal would otherwise be heard, the appeal shall lie to the Central Board of Revenue.

[No 94]

S.R.O. 521.—In exercise of the powers conferred by sections 18 and 19 of the Sea Customs Act 1878 (VIII of 1878), the Central Government is pleased to direct that the following notifications shall be cancelled, namely —

- (1) Notification of the Government of India, in the late Finance Department (Central Revenues) No 57-Customs dated the 12th December 1942

- (2) Notification of the Government of India, in the late Finance Department (Central Revenues) No. 58-Customs, dated the 12th December 1942
- (3) Notification of the Government of India, in the late Finance Department (Central Revenues) No. 60-Customs, dated the 12th December 1942.
- (4) Notification of the Government of India in the late Finance Department (Central Revenues) No. 82-Customs, dated the 17th November 1934.
- (5) Notification of the Government of India, in the late Finance Department (Central Revenues) No. 32-Customs, dated the 3rd June 1933.
- (6) Notification of the Government of India, in the late Finance Department (Central Revenues) No. 54 Customs, dated the 25th November, 1933.
- (7) Notification of the Government of India in the late Finance Department (Central Revenues) No. 28-Customs, dated the 4th November, 1944.
- (8) Notification of the Government of India in the late Finance Department (Central Revenues) No. 90-Customs, dated the 11th June, 1933, No. 25-Customs, dated the 22nd April 1939 and No. 23-Customs, dated the 20th April, 1940.
- (9) Notification of the Government of India, in the late Finance Department (Central Revenues) No. 59-Customs, dated the 12th December, 1942.

[No. 95.]

S.R.O. 522.—In exercise of powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to direct that the following amendments shall be made in the notification of the Government of India in the late Finance Department (Central Revenues) No. 33-Customs, dated the 22nd June, 1933, namely:—

In schedule I annexed to the said notification, under the heading 'G' Kathiawar serial Nos. 73A and 74 shall be omitted.

[No. 96.]

S.R.O. 523.—In exercise of the powers conferred by clause (b) of section 49 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to direct that the following amendments shall be made in the notification of the Government of Bombay No. 77, dated the 7th May, 1879, namely:—

In the said notification, the following

In Kutch

1. Jakhavu.
2. Koteswar,
3. Kandla.
4. Lakhapat.
5. Mandvi
6. Mundra.
7. Rohar.
8. Tuna,

shall be omitted.

[No. 97.]

S.R.O. 524.—In exercise of the powers conferred by section 134 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to direct that the following amendments shall be made in the notification of the Government of Bombay, No. 77, dated the 7th May, 1879, namely:—

In the said notification, the following

In Kutch

1. Jakhavu,
 2. Koteswar.
 3. Kandla,
 4. Lakhapat.
 5. Mandvi.
 6. Mundra.
 7. Rohar,
 8. Tuna.
- shall be omitted.

[No. 98.]

S.R.O. 525.—In exercise of the powers conferred by section 6 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of the notification of the Government of India in the late Finance Department (Central Revenues) No. 76(i)-Cus. 1/43, dated the 27th March 1943, the Central Government is pleased to appoint the Collector of Central Excise, Madras, to be the Chief Customs-officer in the State of Madras except for the port of Madras, and for all ports in the State of Travancore-Cochin except for the port of Cochin

[No. 120.]

S.R.O. 526.—In exercise of the powers conferred by clauses (b) and (c) of section 157 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to direct that the following amendment shall be made in the notification of the Government of Madras No. 420, dated the 6th October 1908, namely:—

In the said notification, for the words "Madras Presidency" the words "States of Madras and Travancore-Cochin" shall be substituted.

[No. 121.]

K. R. P. AIYANGAR, Jt. Secy.

STAMPS

New Delhi, the 9th September 1950

S.R.O. 527.—In exercise of the powers conferred by clause (a) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government is pleased to direct that the duty chargeable under the said Act in respect of any Bond, Mortgage-deed, Agreement or Receipt executed in favour of the Chief Commissioner, Tripura, by a displaced person residing in Tripura shall be remitted with retrospective effect from the 1st June, 1950.

[No. 7.]

D. P. ANAND, Dy. Secy.

CENTRAL BOARD OF REVENUE

CUSTOMS

New Delhi, the 9th September 1950

S. R. O. 528.—In pursuance of section 158 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue is pleased to prescribe that port clearance granted to coasting vessels other than native craft shall be in the same form as that prescribed under section 65 of the Act (Form No. 49 Appendix A to the Indian Sea Customs Manual, 4th edition).

In case of native coasting craft the Export General Manifest shall be in the same form as that prescribed for other vessels under sections 63 and 158 of the Act (Form 50 Appendix A to the Indian Sea Customs Manual, 4th Edition), and should be printed on ruled paper of a quality approved by the Collector. It shall contain besides the particulars therein required the following information:—

(a) In the case of a vessel to which cargo from another customs port has been transhipped from another native craft, a note should be made opposite each item of transshipment cargo to the following effect:—

“Originally manifested at the port of..... for transhipment to the port of.....” or ‘Subsequently manifested at.....for transhipment to’ according as the goods were originally manifested at the port of export for transhipment at the port in question or their destination was changed on arrival there.

(b) It shall also include all goods brought from another port and not landed or transhipped and also all arms and ammunition on board.

(ii) If the vessel has arrived originally from another port, the manifest prepared as above, shall be presented in duplicate along with the documents on which the cargo has been discharged, endorsed by the officer who supervised the landing to the effect that all the cargo manifested for the purpose has been discharged and inward clearance obtained.

(iii) Both the copies will then be presented to the Customs Collector together with the original Tranship Permits for goods for which tranship permits have been granted and all shipping bills with endorsements showing the quantity of goods actually shipped. The Master shall also produce the following documents:—

- (a) the clearance certificate from the Port Office,
- (b) Vessel's register.
- (c) Port and light dues receipts, if any,
- (d) certificate that the vessel is furnished with side lights, and
- (e) health certificate in the case of vessels arriving from infected places.

(iv) One copy of the manifest will be returned signed by the Customs Collector together with the shipping bills and tranship permits and it shall be the port clearance for the vessel.

(v) Within 24 hours of the arrival of any native craft at any Customs port the Master must obtain a certificate of entry from the port office and present it at the Custom House along with the following documents:—

- (a) The Port clearance from the last port of call;
- (b) Extract from manifest and shipping bills for all cargo to be discharged at the port;

- (c) A list of the vessel's stores;
- (d) The original manifest of which the above is only an extract;
- (e) Port and light dues receipts, if any, and
- (f) An application to enter the vessel inwards if the vessel has touched at a foreign port or has dutiable goods on board.

[No. 98]

K. R. P. AIYANGAR, Member.

CUSTOMS

New Delhi, the 9th September 1950

S. R. O. 529.—In exercise of the powers conferred by clause (a) of section 11 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of all previous notifications declaring places in the State of Orissa to be ports for the shipment and landing of goods, the Central Board of Revenue hereby declares the places situated in the State of Orissa specified in the Schedule annexed hereto to be ports for the shipment and landing of goods, namely:—

SCHEDULE

S. No.	District	Name of Port
1	Puri	Puri.
2	Balasore.	Balasore.
3	Balasore.	Dhamra (also known as Chandbali)

[No. 85.]

S. R. O. 530.—In exercise of the powers conferred by clause (a) of section 11 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of all previous notifications declaring places in the State of West Bengal to be ports for the shipment and landing of goods, the Central Board of Revenue hereby declares the port of Calcutta situated in the State of West Bengal to be a port for the shipment and landing of goods.

[No. 86.]

S. R. O. 531.—In exercise of the powers conferred by clause (a) of section 11 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of all previous notifications declaring places in the State of Bombay to be ports for the shipment and landing of goods, the Central Board of Revenue hereby declares the places situated in the State of Bombay specified in the Schedule annexed hereto to be ports for the shipment and landing of goods, namely:—

SCHEDULE

Serial No. 1	District 2	Name of Port 3
1	Bombay	Bombay.
2	Ahmedabad	Gogo.
3	Ditto	Dhollara.
4	Kaira	Cambay.

1	2	3
5 Broach		Tankari.
6 Ditto		Kav.
7 Ditto		Dehej
8 Ditto		Broach
9 Surat		Bhagwa.
10 Ditto		Surat
11 Ditto		Matwad
12 Ditto		Bulsar
13 Ditto		Umarsadi.
14 Ditto		Kolak
15 Thana		Kalai
16 Ditto		Maroh
17 Ditto		Umbargaon.
18 Ditto		Dahanu
19 Ditto		Farapur
20 Ditto		Nawapur.
21 Ditto		Satpati
22 Ditto		Kelwa
23 Ditto		Arnalla
24 Ditto		Bassoin
25 Ditto		Uttan
26 Ditto		Manori
27 Ditto		Vesawa
28 Bombay Suburban District		Bandra
29 Ditto		Mahul
30 B S D		Trombay.
31 Thana		Thana
32 Ditto		Bhiwandi.
33 Ditto		Kalyan.
34 Kolaba		Panwel.
35 Ditto		Mora
36 Ditto		Karunja
37 Ditto		Thal
38 Ditto		Alibag
39 Ditto		Borli Mandla
40 Ditto		Kambharu
41 Ditto		Murud
42 Ditto		Nandgaon.
43 Ditto		Rajpur
44 Ditto		Shrivardhan
45 Ditto		Rev.landa
46 Ditto		Mandad
47 Ratnagiri		Bankot
48 Ditto		Harnai
49 Ditto		Dabhol.
50 Ditto		Palshet
51 Ditto		Borya
52 Ditto		Jaigad
53 Ditto		Varavda
54 Ditto		Ratnagiri.
55 Ditto		Purnagad.
56 Ditto		Jaitapur
57 Ditto		Vijaydurg
58 Ditto		Devgad
59 Ditto		Achra
60 Ditto		Malvan.
61 Ditto		Nivri
62 Ditto		Vengurla.
63 Ditto		Redi
64 Ditto		Kunapani
65 North Kanara		Lilnati.
66 Ditto		Sadashivgad.
67 Ditto		Karwai.
68 Ditto		Bingi
69 Ditto		Chendia.
70 Ditto		Belekeri
71 Ditto		Ankola.

1	2	3
72	North Kanara	Gangawali.
73	Ditto	Tadri.
74	Ditto	Kumta.
75	Ditto	Honavar.
76	Ditto	Manki.
77	Ditto	Murdeswar.
78	Ditto	Shirali.
79	Ditto	Bhatkal.

[No. 87.]

S. R. O. 532.—In exercise of the powers conferred by clause (a) of section 11 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of all previous notifications declaring places in the State of Madras to be ports for the shipment and landing of goods, the Central Board of Revenue hereby declares the places situated in the State of Madras specified in the Schedule annexed hereto to be ports for the shipment and landing of goods, namely:—

SCHEDULE

Serial No.	District.	Name of Port.
1	Vizagapatam	Calingapatam. Bimilipatam. Vizagapatam.
2	East Godavari	Cocanada.
3	Krishna	Masulipatam.
4	Madras	Madras.
5	South Arcot	Cuddalore. Porto Novo.
6	Tanjore	Tirumalaivasal. Negapatam. Topputhurai. Adirampatnam.
7	Ramnad	Tondi. Pamban. Dhanushkodi. Kilakarai.
8	Tinnevely	Tuticorin. Kulasekarapatnam.
9	Malabar	Cochin. Ponnani. Calicut. Badagara. Tellicherry. Cannanore.
10	South Kanara	Kasargod. Mangalore. Mulki. Malpe. Hangarakatta. Coondapur.

[No. 88.]

S.R.O. 533.—In exercise of the powers conferred by section 9 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue is pleased to make the following rules prescribing and limiting the powers and duties of officers of Customs in the Collectorate of Customs, Saurashtra

1. The Collector of Customs, Saurashtra shall be competent to exercise within his jurisdiction all or any of the powers conferred and to perform all or any of the duties imposed upon the Chief Customs Officer or Customs Collector by the Act.

2. The Superintendents of Customs shall, within their respective jurisdictions exercise the powers of Customs Collectors concurrently with and subject to the orders of the Collector of Customs, Saurashtra, and powers conferred on Officers of Customs under sections 169, 170, 171, 173 and 178 of the Sea Customs Act.

3. The Deputy Superintendents of Customs shall within their respective jurisdiction, exercise powers of Customs Collectors concurrently with and subject to the orders of the Collector of Customs, Saurashtra, and powers conferred on Officers of Customs under sections 169, 170, 171, 173, 176 and 178 of the Sea Customs Act.

4. All Customs Officers at the sub-ports under the jurisdiction of the Collector of Customs, Saurashtra are required to prevent smuggling and are authorised to exercise all the powers conferred by Chapter XVII of the Sea Customs Act, 1878 (VIII of 1878), on officers of Customs duly employed for the prevention of smuggling.

5 All Superintendents, Deputy Superintendents, and Inspectors of Customs shall exercise the powers and perform the duties in connection with the examination and classification of goods referred to in the various sections of the Sea Customs Act.

6. Officers of Customs on duty, not below the rank of a Supervisor, shall have powers to grant written permission under section 72 of the Act for the landing of fresh fruits, vegetables and live stock.

(a) On any Sunday or holiday.

(b) On any day beyond the hours from time to time appointed by the Chief Customs authority by notification in the official gazette, at a wharf which is appointed for the landing of such goods.

7. The Officers in charge of Customs at minor ports shall for their respective ports exercise the powers conferred, and perform the duties imposed, on a Customs Collector by sections 24, 29, 55, 57, 58, 61, 62, 63, 65, 86, 187, 141, 142, 158, 159, 160, 161, 195, 200 and 201.

8. The Officers of Customs on duty at the aerodromes situated within the jurisdiction of the Collectorate shall be the Customs Collectors for the respective airports but shall concurrently with and subject to the orders of the Collector of Customs, Saurashtra only exercise the powers conferred and perform the duties imposed by the Indian Air-craft Rules 1920, on a Customs Collector with the exception of those indicated in section 182, Sea Customs Act.

[No. 90.]

S.R.O. 534.—In exercise of the powers conferred by section 9 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue makes the following rules prescribing and limiting the powers and duties of Officers of Customs employed on the Diu land frontier and the Sind Frontier in Western Pakistan, namely:—

(i) In these rules the "Act" means the Sea Customs Act, 1878.

(ii) the Inspector/Supervisor on the land frontier, shall be Customs Collector for the said areas, but shall concurrently with and subject to the orders of the Chief Customs Officer, exercise only the

powers conferred and perform the duties imposed by chapter XVII of the Act.

- (iii) The Jamadars and peons employed for the prevention of smuggling in the said area shall exercise the powers of a Customs Officer conferred by chapter XVII of the Act concurrently with and subject to the orders of the Inspector/Supervisor of Customs on the said land frontiers.

[No. 100.]

S.R.O. 535.—In exercise of the powers conferred by section 11 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of all previous notifications issued under section 13 of the said Act, in so far as they relate to the ports mentioned in the present notification, the Central Board of Revenue is pleased to declare the places situated in each of the districts mentioned in column 1 and named in column 2 of the Scheduled annexed hereto, within the jurisdiction of the Collector of Customs, Saurashtra, to be ports for shipment and landing of goods.

SCHEDULE

Name of District	Name of Port
1	2
<i>Saurashtra State</i>	
Cohilwad	Bhavnagar
Do.	Mahuwa.
Do.	Jafrahad.
Sorath	Veraval.
Do.	Mangrol.
Do.	Porbandar.
Do.	Madhavpur.
Halar	Bedi (including Rozi)
Do.	Salaya
Do.	Sikka.
Do.	Jodia.
Madhya Saurashtra	Nathlakhi
<i>Kutch State</i>	
Anjar	Kandla
Mandvi	Mandvi
<i>Bombay State</i>	
Amreli	Okha.
Do.	Boyt.
Do.	Kotda.

[No. 101.]

S. R. O. 536.—In exercise of the powers conferred by section 12 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of all the previous notifications issued under section 13 of the said Act, in so far as they relate to the ports mentioned in the present notification, the Central Board of Revenue is pleased to declare the places situated in each of the districts mentioned in column 1 and named in column 2 of the Schedule annexed hereto within the

jurisdiction of the Collector of Customs, Saurashtra, to be ports for carrying on coasting trade with Customs ports and for no other purposes:

SCHEDULE

Name of District	Name of port
<i>Saurashtra State.</i>	
Gohilwad	Talaja.
Do.	Albert Victor. (with its sub-port).
Sorath.	1. Bherai
	Nawabandar. (with its sub-ports).
	1. Simar.
Do.	2. Rajpara.
	Shil (sub-port of Mangrol).
	Lamba (with its sub port).
	1. Miyani
<i>Kutch State</i>	
Anjar	Tuna.
Mundra	Mundra.
Lakhpat	Lakhpat.
Do.	Koteshwar.
Abadasa	Jakhau.
Bhachau	Jangi.
<i>Bombay State.</i>	
Amreli	Madhwad.
Do.	Mul-Dwarka (Kodinar).
Do.	Dwarka (Rupen).

[No. 102.]

S.R.O. 537.—In exercise of the powers conferred by section 14 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue is pleased to declare the following ports to be warehousing ports for the purposes of the said Act.—

State of Saurashtra.—

1. Bhavnagar.
2. Jamnagar (Bedi).
3. Morvi (Navlakhi).
4. Porbander.
5. Veraval.

State of Bombay.—

6. Okha.

State of Kutch.—

7. Kandla.
8. Mandvi.

[No. 103.]

S.R.O. 538.—In exercise of the powers conferred by section 59 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue makes the following rules for granting special passes to break bulk in the ports under the jurisdiction of the Collector of Customs, Saurashtra, Jamnagar:—

A special pass may be granted—

(i) On application in writing on a paper stamped with the proper Court Fee stamp, and such application may be received before the arrival of the vessel for which the pass is required.

(ii) In the case of steamers and square rigged vessels discharging in a dock, the goods in respect of which a special pass has been obtained shall be deposited in a separate shed or portion of a shed; and in the case of such vessels discharging in the stream the said goods shall be stacked on the wharf in such manner as the Customs Officer on duty may direct in order to prevent their being mixed with other goods. In neither case shall the goods be removed from the places of deposit until manifest and bill of entry have been put in.

(iii) (a) A special pass shall be granted to native craft only when they are employed in bringing from Customs ports chunam, cement, sand, stones, gypsum, flooring tiles or the other building materials, green or dry grass, hay, poultry, fresh fruit, vegetables and other market produce.

(b) To such vessels a special pass may be granted to be in force for one month. But before any goods are discharged notice of intention to discharge them shall be given to the Customs Officer on duty at the wharf where they are to be discharged. If the vessel arrives in ballast or with passengers only, the pass must be produced to the Customs Officer at the wharf for endorsement before the vessel leaves.

[No. 104.]

S.R.O. 539.—In exercise of the powers conferred by section 74 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue is pleased to declare that stone ballast may be shipped at any Customs Port under the jurisdiction of Collector of Customs, Saurashtra and be received on board any vessel without the presence of a Customs Officer. But in all cases before ballast is shipped the Master of the vessel must present a declaration to the Customs Collector or to an officer deputed by him to receive it, stating the quantity and nature of the ballast to be shipped, likewise the vessel's port of destination. The quantity taken on board shall be entered in the Export General Manifest of the vessel.

[No. 105.]

S.R.O. 540.—In exercise of the powers conferred by section 74 of the Sea Customs Act, 1878 (VIII of 1878) the Central Board of Revenue is pleased to give general permission for loading of salt at Versamedi Jetty Lavanpur within the limits of Navlakhi port, without the presence or authority of an officer of Customs.

S.R.O. 541.—In exercise of the powers conferred by section 75 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue is pleased to make the following rules for passing free of import duty baggage in actual use, and for the landing of passenger's baggage and passing the same through the ports under the jurisdiction of the Collector of Customs, Saurashtra —

LANDING AND PASSING OF BAGGAGE THROUGH THE CUSTOMS HOUSE

1.—Troopships

1. Returns in the appended form (Form 1, Appendix A), will be supplied to the Commanding Officer on Board, who should see that they are filled in as regards column 1 and 2, and countersign them himself before the arrival of the transport in the harbour

2. Immediately on the arrival of the transport, she will be boarded by a Customs Officer, who will receive all the returns along with a list of all the officers on board.

3. The said Customs Officer will fill up columns 3, 4 and 5 in each return and recover the amount of duty payable from the person in whose name the goods are entered, and give a receipt in the appended form (Form 2, Appendix A).

4 If the said Customs Officer is furnished with a list of all the officers on board, and with complete returns duly filled in as aforesaid, all passengers' baggage on board may be landed free from Customs control

5. The foregoing rules will not, however, preclude the Custom House authorities from examining or detaining any goods as to which any doubt may arise.

II—Steamers (other than troopships) and square-rigged vessels from foreign ports.

1. In the case of steamers and square-rigged vessels discharging in the stream, immediately after the vessel has anchored, a Customs Officer will examine and pass on board all free cabin baggage not contained in soldered or nailed-down cases, which the passenger may offer for examination, including (1) uniform and accoutrements appertaining thereto belonging to a public servant for his personal use; (2) arms forming part of the equipment of an officer entitled to wear diplomatic, military, naval or police uniforms on his making the following declaration on the baggage form:—

"I hereby declare I am a Officer (in the case of a military officer, it should be stated whether in the Military or Civil employment) serving in India. In the case of such vessels discharging at a wharf, all baggage will be passed by the Preventive Officer on board, after examination and recovery of duty on such articles as may be liable to it.

2. All baggage passed as above may be landed at any bunder and removed without further Customs control.

3. All other baggage must be landed at the Passenger Pier. After landing, it may be cleared at any time on the owner or his agent producing the Keys of all locked packages and presenting a signed declaration in the appending form (Form No. 1, Appendix A), and paying the duty and landing charges, if any, at the passenger Pier. But in the case of articles imported in other than reasonable quantities and which are evidently intended for sale and not for the personal use of the importer the Preventive Officer shall forward such articles to the Custom House for appraisalment and payment of duty.

4. No firearms belonging to any one passenger in excess of two guns or two rifles and a revolver or a pair of pistols will be passed without the permission of the Collector of Customs.

III—Native craft from foreign ports.

Passengers will be required to go with all their baggage to the Customs Officer at the Passenger Pier, who will examine and pass such articles as are intended for the personal use of the passenger and not for sale, after recovering duty thereon. All articles in other than reasonable quantities which are evidently imported for sale and not for the personal use of the passenger shall be detained and forwarded to the Custom House for payment of duty.

IV—Steamers from Customs ports.

1. All personal baggage arriving by steamers from Customs ports will be passed free by the Customs Officer at the Passenger Pier or on board the Steamer, on the passenger making a declaration in the appended form (Form, 3, Appendix A) certifying that the baggage was actually shipped at the Customs port from which passenger has arrived and not transhipped at such a port from a vessel from a foreign port without payment of duty.

2. In the event, however, of the baggage having been transhipped at a Customs port from a vessel from a foreign port, the baggage will be dealt with in the same way as baggage coming direct from foreign ports.

V—Transshipment

In the case of baggage to be transhipped direct to another steamer to either a Customs or foreign port, transshipment will be allowed under supervision of a Preventive Officer and under cover of a written transshipment order obtained from him on a boat-note form. Duty on the dutiable portion of such baggage, if for a Customs port, must be paid at the port of destination and all such baggage shall be included in the list of transshipment goods for Customs Ports put in by the master of the on carrying steamer when applying for port clearance.

[No 107]

S R.O. 542.—In exercise of the powers conferred by the last paragraph of section 76 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue suspends the operation of that section in all ports within the jurisdiction of the Collector of Customs, Saurashtra, except the ports of (1) Bodi, (2) Navlakhi, (3) Porbandar, (4) Veraval, (5) Bhavnagar, (6) Okha, (7) Kandla, (8) Mandvi.

[No. 108]

S.R.O. 543 —The following rules made by the Central Board of Revenue under clause (c) of section 9 of the Sea Customs Act, 1878 (VIII of 1878), for carrying out the provisions of section 76 of the said Act respecting Boat-Notes, are published for general information:—

(1) Forms of Boat-Notes will be supplied by the Customs department gratis. Only forms so supplied shall be used for Boat Notes.

(2) Boat-Notes for goods to be landed in cargo boats from native craft stationed at the dutiable anchorage will be furnished by the Customs Officer at the anchorage to whom application therefor must be made before a cargo boat containing such goods, leaves the anchorage.

(3) Boat-Notes for goods to be shipped into vessels at the dutiable or pre anchorage shall be presented to the Customs Officer at those anchorages for endorsement before the goods are shipped.

(4) 1. When it is desired to keep afloat goods which have been discharged from any vessel pending their being reshipped or landed the cargo boat containing such goods shall be taken to the bunder named in the Boat-Note and the Boate-Note shall be shown to the Customs Officer at the Said Bunder, and his permission shall be obtained, with reference to section 77 of the Act, to the goods being kept afloat.

2. The Boat-Notes shall be kept on board by the persons incharge of the cargo boat to cover the goods until they are re-shipped or landed.

3. If the goods are re-shipped, the Boat Note shall be again shown to the officer aforesaid, together with the necessary permit to re-ship; and his endorsement shall be obtained thereon before the boat leaves the wharf.

[No. 109].

S R O. 544.—In exercise of the powers conferred by section 79 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue is pleased to declare that after the date of this notification no boat shall be allowed to ply

as a cargo boat for the landing and shipping of merchandise within the limits of the following ports unless duly licensed and registered in accordance with the rules for the time being in force under the said section:—

1. Bedi (Jamnagar).
2. Navlakhi.
3. Porbandar.
4. Veraval.
5. Bhavnagar.
6. Okha.
7. Kandla.
8. Mandvi.

[No. 110].

S.R.O. 545.—In exercise of the powers conferred by section 79 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of all previous rules on the subject, the Central Board of Revenue is pleased to prescribe the following rules and fees for the granting of licences for cargo boats in the ports of namely:—

Bedi (Jamnagar).
Navlakhi.
Porbandar.
Veraval.
Bhavnagar.
Okha.
Kandla.
Mandvi.

1. Licences for cargo-boats or barges may be granted by the Collector of Customs on an application accompanied by the certificate of registry granted under the Bombay Coasting Vessels Act, 1838 (XIX of 1838) or, in the case of foreign-owned cargo-boats or barges, a certificate of registry granted, so far as may be in accordance with the provisions of the said Act and a certificate of sea-worthiness and carrying capacity granted by the port officer concerned

2. A fee of one rupee shall be charged for each licence, and each licence shall be renewable upon the expiry of the certificate of sea-worthiness and carrying capacity, on payment of the same fee, and shall be in form No. 28 appendix A.

[No. 111].

S.R.O. 546—In exercise of the powers conferred by section 128 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue is pleased to direct that transhipment of all goods, whether dutiable or free, may be allowed at any port under the jurisdiction of the Collector of Customs, Saurashtra, for any Customs port, on execution of a bond under the said section of the said Act by the transhipper for twice the amount of duty involved with one acceptable surety and on payment of transhipment fee leviable under section 133 of the said Act, according to the schedule of the transhipment fees prescribed thereunder.

[No. 112].

S.R.O. 547.—In exercise of the powers conferred by section 130 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue is pleased to make the following rules regarding the transhipment of goods other than postal articles in the ports under the jurisdiction of the Collector of Customs,

Saurashtra, and to direct that the said rules shall come into force after the expiry of fifteen days from the date of publication of this notification:—

1. A written transshipment, i.e., leave to tranship goods manifested for the purpose in the manner required by section 128, Sea Customs Act, 1878, will be granted by the Customs Collector on application in writing in triplicate being duly made for the same in the prescribed form.

2. Except as hereinafter (in these rules) otherwise provided, no goods shall be transhipped unless and until:—

(a) A Tranship permit covering the same is produced.

(b) The transshipment fees, if any, payable in respect thereof have been paid.

(c) An order to let tranship has been obtained in writing on the Tranship permit.

(d) Transshipment is effected within two months of the date of the arrival of the importing ship and in the case of ports that are closed during the south West monsoon, within six weeks after the opening of such ports.

(e) The Chief Customs Officer or other officer duly authorised in this behalf may in his discretion on sufficient cause being shown extend the period specified in clause (d) of the rule by not more than one month.

3. The tranship permit for the goods so transhipped shall be obtained and the Transshipment fees, if any, payable in respect thereof shall be paid immediately after the Import General Manifest has been put in.

4. When goods which are to be transhipped are temporarily deposited on a Wharf or in a shed, the Customs Officer shall not allow the removal of the said goods, or any of them from that wharf or shed without the production of all such documents as are required by these rules.

[No. 118]

S.R.O. 548.—In exercise of the powers conferred by section 133 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue is pleased to declare that at the ports under the jurisdiction of Customs Collectorate, Saurashtra, transshipment fees leviable under section 133 of the said Act shall be levied on dutiable and non-dutiable goods according to the schedule of the transshipment fees proscribed hereunder:—

SCHEDULE

Loose hides—Whether buffalow, Cow or other sort of hides	1 anna per cargo of 20 or portion of a cargo.
Loose skins—Whether sheep, goat or any other sort of skins.	1 anna per 100 or fraction of 100
Loose earthen tiles or bricks.	
Loose coconuts.	
Salted fish when imported loose.	
Earthen Jars, other than Kujahs	
Earthen Jars (Kujahs)	1 anna per 1000 or fraction of 1000.
Petroleum in cases	$\frac{1}{2}$ anna per case.
Petroleum in bulk	2 pios per 10 gallons or part of 10 gallons.
Liquid fuel	1 anna per ton (250 gallons) or fraction of a ton.
Silver	1 anna per bar or case.
Salt, loose or in bags	1 anna per ton or fraction of a ton.
Dates, wet or dry, loose or in packages	
Loose metals, wrought or un-wrought, and loose manufactures of metals.	
Loose marble slabs.	
Coal, Coke and Patent fuel.	
Wood and timber.	

Ratans in bundles.	}	1 anna per cwt. or fraction of a cwt.
Coff, yarn, loose or in dhols.		
Dutiable articles, loose and not specified above, if the value thereof is above Rs. 5 per Cwt.	}	½ anna per cwt. or fraction of a cwt.
Dutiable articles, loose and not specified above, if the value thereof is Rs. 5 per cwt. or less.		
Packages other than postal articles containing dutiable goods.	}	1 anna per package irrespective of size, value, weight or contents.

Provided that the maximum amount of the transshipment fees leviable at the rates above prescribed, in respect of any single consignment transhipped from a vessel, shall, except in the case of transshipment of opium, be Rs. 300 and the minimum amount of such transshipment-fee shall be Rupee 1.

[No. 114.]

S.R.O. 549.—In exercise of the powers conferred by the proviso to section 182 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue, directs that the Superintendents and Deputy Superintendents in charge of the Custom Houses under the jurisdiction of the Collector of Customs, Saurashtra, may exercise the powers conferred under clause (c) of the said section.

[No 115.]

S.R.O. 550.—In exercise of the powers conferred by section 180 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue is pleased to cancel the notification of the Central Board of Revenue R. Dis. No. 4-Customs/25, dated the 1st October, 1925, directing that transshipment of dutiable goods without payment of duty from any port in the States to any port in Kathiawar shall be permitted by steamers only.

[No. 116.]

S.R.O. 551.—In exercise of the powers conferred by clause (b) of section 11 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue is pleased to declare that the limits of the ports mentioned in the Schedule annexed hereto shall be as stated in column No. 2 of the said Schedule.

SCHEDULE

Name of Port	Limits under section 11(b) of the Sea Customs Act, 1878.	Wharves prescribed under section 11(c) of the Sea Customs Act.	Places appointed for delivery of manifest under section 53 Sea Customs Act.
1	2	3	4
Bhavnagar.	The limits of Bhavnagar port shall extend to 50 yards above high water mark over the navigable water of the Bhavnagar creek and Bhavnagar channel ranging from the Dhober creek to the northern boundary of Gogha port limits and including the deep water anchorage to the northward of perigee rock.	1. Concrete Jetty. 2. Steel Jetty, 3. Adakantha. 4. Ramasar. 5. Golkhadi. 6. Timber Wharf.	Anchorage.

Mahuva	The limits of the port of Mahuva shall extend to 50 yards above high water mark over the navigable channel of the Malam river, Mahuva bay, Karpur bay and the anchorage within two miles radius of Jegree Light-house.	1. Adakhantaha Wharf. 2. Golkhadi Wharf.	Anchorage.
Jaffrabad	The limits of Jaffrabad port shall extend to 50 yards above high water mark over the navigable waters of Jaffrabad, creek Jaffrabad bay and the area bounded by— Lat. 20°-51' North. Long. 71°-20'-30" Long. 71°-24'-30" East.	1. Chunam Jetty for Chunam only. 2. Salt Jetty for salt only. 3. Fore shore from Custom House to Salt Jetty for all goods. 4. Pimpli Kantha banks for fish and free goods.	Do.
Veraval	A line starting from the south-east corner of the break water touching its southern boundary and the wall of the harbour office up to its end, and then running eastward parallel to the port wall turning at a commercial building skirting the city to the patan gate and thence extending along patan road turning at right angle to the left skirting the petrol godown to the west and then turning to the east right opposite to Dedhwada and further turning to south to the new Kumbharwara and running along the patan road to the swing bridge and thence again turning south to sea near Kaji Mohd. Dargah.	1. Landing platform on the Khadi yard for Petroleum and Lubricating oils, stone, tiles, timber, etc. 2. Opposite to Custom House between eastern and western basins in the main port for dutiable goods. 3. Light house dock for free general cargo. Dock opposite to the dock estate railway station for salt and other free general cargo.	Do.
Mangrol	A line starting from the south west corner of the break water extending towards the North encircling the yards and godowns skirting the road adjacent to the godowns and then turning towards the eastern side touching the road from Mangrol city to port and extending towards Dharamshala and then turning to the east up to break water in the South.	Landing place opposite the Mangrol Custom House.	Do.

1	2	3	4
Porbandar	All space from Lely bund towards sea side within two marine miles from shore between two points namely (1) New Huzur Place in the east and (2) Khadad Pir on the West. 3148 ft. distance from the Khadad Pir.	15. slopes in the Wharf wall and the wharves. 1. Area behind the Cement factory on the quay walls. 2. Yards on the east of the A. C. C. cement work. 3. Area in front of the Kerosene and petrol godowns on the opposite side of the creek. 4. Salt jetty on the opposite side of the creek.	Anchorage
Madhavpur	The limits of the port will extend to 50 yards above high water mark and the area bounded by two points due North-West and East-South at a distance of 2000 ft. on the either side of the Custom House within one marine mile from shore.	Landing place facing the Custom House.	Off the Custom House.
Bedi	The whole bund area starting with Halar Salt Works on the one side and the area adjacent to the Digvijay Salt Works on the other and the limits in the creek and sea covering the whole area bounded by Rozi temple, Kalyan Khade and Pireton Lighthouse.	The Jagjit dock. 1. Ranjit wharf for all goods. 2. The Jagjit wharf for all goods. 3. The Petrol wharf for petrol and Kerosene only. 4. The export wharf for all goods. 5. The Salt wharves for salt only. 6. The Rozi pier only for passenger traffic.	Anchorage.
Sikka	The limits of the port shall extend to 50 yards above high water mark starting with the point on the fore shore north of and facing Digvijay Cement Co. and cover the whole coast along the curve right up to the portion of the coast on the rear of the Sikka village.	Creek side on the rear of the Sikka village. Cement Jetty.	Off the Custom House.
Salaya	The port limit shall extend right from the coast nearest to the town almost facing the Custom House up to the Sykes Point Pier.	Landing place near the Custom House.	Do.
Jodiya	The port limit shall extend from the beginning of the quay wall and where the Dam starts,	Wharf on the bund.	Do.

Navlakhi	<p>Port limits shall extend from Hansthal Creek to Chass Noss in the line passing between Nurga and Mamula Inlands and up to Vavina and Zinsuda.</p> <p>North. From farthest southwest point of Margha bot a straight line running south-east up to 50 yards above high water mark on south bank of the Versamedu creek up to furthest east end of Masonry wall.</p> <p>East. From the above point line running straight up to the present passenger jetty No. 100.</p> <p>South. From the south end of the passenger Jetty a straight line drawn across the Sui Creek up to 50 yards above high water mark on Southern bank of the Sea creek and then touching the anchorage basin.</p> <p>West. From anchorage basin to a straight line touching the southern most point of Margha bot.</p>	<p>1. Wharf known as steel and masonry wharf on the versamedu creek and numbers 4 and 5 and jetties on Sui creek and the wharf connected for all goods.</p> <p>2. Jetties Nos. 1, 2 and 3 on Sui creek and connected wharf for all goods.</p> <p>3. Jetties Nos. 6, 7 and 8 on the connected wharf for all goods.</p> <p>4. Jetty No. 9 for petrol, Kerosene and other hazardous goods.</p> <p>5. Jetty No. 10 for ferry passenger traffic.</p> <p>6. Versamedu jetty for salt only on Versamedu creek.</p>	Anchorage.
Okha	<p>To the North : Mooring buoy in the outer roadstead outside the Shamiani Light-house.</p> <p>To the East : Mooring buoy in the harbour stream.</p> <p>To the South : Adatra wooden Jetty for M/s Burmah Shell.</p>	<p>1. Shri Sayaji Pier for all goods.</p> <p>2. Mooring buoy in the harbour stream for steamers only and for all goods and passenger traffic.</p> <p>3. Mooring buoys in roadstead for steamers only and for all goods and passenger traffic.</p> <p>4. The wharf wall for all goods.</p> <p>5. Passenger jetty for all goods and passenger traffic.</p> <p>6. Adatra jetty for petroleum only.</p>	Mooring buoy outside Shamiani Light-house.
Beyt	<p>To the South : Beyt Masonry Jetty</p> <p>To the North : Corner up to Custom House.</p>	<p>1. Beyt jetty for all goods.</p>	Off the Custom House Beyt.
Kotda	<p>The limits of the port shall extend to area 50 yards beyond high water mark bounded by—</p> <p>North : A point where Sangavadi river meets the creek.</p>	<p>1. Foreshore of the Paleri creek in front of the Custom House for dutiable goods.</p>	Off the Custom House.

1	2	3	4
	<p>East : A line drawn in the middle of the creek lying between Kotda and Wanakbara of Diu.</p> <p>West : Shore beyond 50 yards of High water mark.</p>	2. Any place within the port limit for free goods.	
Kandla	<p><i>On the West :</i> By a line south westwardly from the vill. Shinaya to the point where the meridian of $70^{\circ} 00'$ east long. The last line and then 180° along the meridian to Lat. 22°.</p> <p>465' North.</p> <p><i>On the South :</i> By a line drawn at 63° from the position Lat. $22^{\circ} 46.5'$ North long. $70^{\circ} 00'$ east to a beacon in Lat. $22^{\circ} 56'$ North long. $70^{\circ} 19.3'$ east then along the south coast of Satsaida bet to the centre of Hansthal creek.</p> <p><i>On the East :</i> By a line drawn from the centre of the Hansthal creek to the long. $70^{\circ} 38'$ east and thence North along the meridian of Lat. $23^{\circ} 12.5'$ North to long. $70^{\circ} 18'$ East thence southward to the meeting of the Gandhidham township boundary and Churwar river, along the southern limits of the township boundary to a point North East from Shinaya and thence to village of Shinaya.</p> <p><i>To the East :</i> A line drawn from Tragedi creek and thence continued in the western direction along the shore passing through the Madhya creek Ravailpur light house and touching the Saraya creek.</p> <p><i>To the North.</i> A line drawn from the point last above-mentioned running west to the Hudiyakotha light house passing through the Rukmayati bridge, the water police station and Customs gate and thence running straight to the Hindoos cremation ground.</p>	<p>1. R. C. C. Pier for general merchandise except explosives and passengers luggage.</p> <p>2. Timber jetty for passengers luggage and small parcels.</p> <p>3. Salt work jetty for salt and stores for the residents of Mithapur.</p> <p>4. Northern landing place.</p> <p>5. Middle landing place</p> <p>6. Southern landing place.</p> <p>7. Zufferwali Bunder.</p> <p>8. Tuna Bunder.</p>	<p>Anchorage.</p> <p>For general merchandise and passengers luggage except explosives, arms and ammunition.</p> <p>For general merchandise except explosives.</p>
Mandvi	<p><i>To the East :</i> A line drawn from Tragedi creek and thence continued in the western direction along the shore passing through the Madhya creek Ravailpur light house and touching the Saraya creek.</p> <p><i>To the North.</i> A line drawn from the point last above-mentioned running west to the Hudiyakotha light house passing through the Rukmayati bridge, the water police station and Customs gate and thence running straight to the Hindoos cremation ground.</p>	<p>1. For dutiable goods the space between the Custom House and the godown.</p> <p>2. For free goods—Any space within the port limits.</p>	<p>Mandvi Khada anchorage.</p>

1

2

3

4

To the West: A line running west from the breakwater lighthouse passing through the Ganga, Asharva and Bhambha dai creek touching the Chhachi creek.

2. The Central Board of Revenue is also pleased to declare—

(i) under section 11 (c) of the said Act, that in the ports mentioned in the said schedule the places mentioned in column 3 shall be deemed to be wharves for the shipment and landing of the goods;

(ii) under section 53 of the said Act that in the ports mentioned in the said schedule, the places stated in column 4 shall be the points beyond which no vessel arriving shall pass until a manifest has been delivered to the pilot, officer of customs or other person duly authorised to receive the same.

[No. 117.]

S.R.O. 552.—In exercise of the powers conferred by clause (a) of section 11 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of all previous notifications on the subject relating to the state of Bombay the Central Board of Revenue hereby declares the following places in the State of Bombay to be ports for the shipment and landing of goods, namely.—

- | | |
|----------------------------|---------------------------------|
| 1. <i>Virangam Circle.</i> | <i>Satapati</i> |
| Dhollera (whittle-Bunder). | Kelwa. |
| 2. <i>Cambay Circle.</i> | 7. <i>Bombay Circle (West).</i> |
| Cambay. | Vesawa. |
| 3. <i>Broach Circle</i> | Bandra. |
| Kavi. | 8. <i>Bombay Circle (East).</i> |
| Tankari. | Mahul. |
| Dahej. | Trombay. |
| Broach. | 9. <i>Mahad Circle.</i> |
| 4. <i>Surat Circle.</i> | Panval. |
| Bhagwa. | Mora. |
| Surat. | Karanja. |
| 5. <i>Vapi Circle.</i> | Thal. |
| Umarsadi | Alibag. |
| Navsari. | Revdanda. |
| Matwad. | Murud (Janjira). |
| Billimora. | Rajpuri. |
| Bulsar. | Kumbharu. |
| Kolak. | Borlai Mandla. |
| Kalai. | Nandgaon. |
| 6. <i>Thana Circle.</i> | Shrivardhan. |
| Maroli. | Bankot. |
| Umbargaon. | Harnai. |
| Dehanu. | Dabhol. |
| Tarapur. | 10. <i>Ratnagiri Circle.</i> |
| Borya. | Jaigad. |
| Palshet. | Varawada. |
| Uttam. | Ratnagiri. |
| Manori. | Ernalla. |
| Thana. | Bassein. |
| Bhivandi. | Devgad. |
| Kalyan. | Acharya. |
| Purnagad. | Malvan. |
| Jaitapur. | Nivti. |
| Vijaydrug. | Vengurla. |
| Navapur | Redi. |

11. <i>Dodamarg Circle.</i>	Bingi.
Kiranpani.	Chandia.
12. <i>Karwar Circle.</i>	Bolekeri.
Tilmati.	Ankola.
Sadashivgad.	Gangawali.
Karwar.	Tadri.
Kumta.	Murdeshwar.
Honawar.	Shirali.
Manki.	Bhatkal.

[No. 118.]

S.R.O. 553.—In exercise of the powers conferred by clauses (b) and (c) of section 11 and section 53 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of the notification of the Government of Bombay in the Revenue Department No. 2392-C, dated the 12th April, 1901, the Central Board of Revenue declares that the ports mentioned in the Schedule annexed hereto shall be as stated in column 2 of the said Schedule.

The Central Board of Revenue further declares that in the ports mentioned in the said Schedule:—

(1) the places mentioned in column 3 thereof shall be deemed to be wharves for the shipment and landing of goods, and

(2) the places stated in column 4 thereof shall be points beyond which no vessels arriving shall pass until a manifest has been delivered to the pilot, Officer of Customs or other person duly authorised to receive the same.

SCHEDULE

Name of port	Limits under section 11(b) of the Sea Customs Act 1878	Wharves prescribed under section 11(c) of the Sea Customs Act 1878	Places appointed for delivery of manifest under Section 53 of the Sea Customs Act 1878
1	2	3	4
1. <i>Dholera (Whittle-Bunder).</i>	The Western Coast line of the Gulf of Cambay and all navigable channels leading into it between:—On the North, the North bank of the navigable channel of the Khun creek; and on the South, the South bank of the navigable channel of the Bavali-ari creek. This bundar also comprises the northern and southern banks of the Wadhrivali creek.	For all goods—the Wharf at the old whittle—Bunder at the mouth of the Wadhrivali creek. For free goods from customs ports—any place within the limits defined in column 2.	The anchorage off the old Whittle—Bunder of at the mouth of the Wadhrivali creek.
2. <i>Cambay.</i>	To the West:—The Coast line of the Gulf of Cambay running eastward as far as the bar of the Mahi river from the spear point of the delta touching the Gulf in the South.	For all goods—the landing place in front of the Customs House. For free goods from Customs ports—any place within the Customs limits.	The anchorage off the Cambay Wharf.

To the East:—The Navigable Channel of the river Mahi upto 600 yards above the Cambay Custom House and all the creeks leading into the river Mahi and banks thereof but where the south bank of the river is in the port limits of Kavi, the boundary towards that bank being midstream upto an extremity off the land point 600 yards from the Cambay Custom House.

- | | | | |
|------------|--|---|-------------------------------|
| 3. Kavi | . Navigable channel of Mahi river (Gulf of Cambay) from a boundary post 300 yards—below Dehigam to a boundary post 300 yards above the Kavi Custom House. The limits of the port of Kavi, include, so much of the anchorage in the Mahi river. (Gulf of Cambay) as lies within 600 yards of the shore and so much of the east shore thereof as lies within 50 yards of high water marks and between the lines drawn from the two boundary posts above described. | For all goods—the landing place in front of the Custom House. | Off the Custom House. |
| | | For free goods from Customs ports—any place within the limits given in column 2. | |
| 4. Tankari | . The navigable channel of the river Dhadhar and of all creeks leading into it and to the east of a line drawn from the lighthouse at Deejagan to the Village of Pania-dra. | For all goods— the jetty. For free goods from Customs Ports—any place within the limits defined in column 2. | The anchorage off the bunder. |
| 5. Dehej | . So much of the creek as lies between the boundary posts placed in the Banks on—each side of the landing place and so much of the shore on the South east side thereof as is within 50 yards of high water mark spring tides and all parts of the navigable channel of the creek from the landing place to the bar and below high water mark spring tides. | For all goods—the landing place in front of the Custom House. For free goods from Customs ports —any place within the limits defined in column 2. | Off the Custom House. |

1	2	3	4
6. Breach .	Navigable Channel of Narbada above a line drawn from Lohara north bank to Vehron on South.	For all goods—near the Custom House. For free goods from Customs ports—the under-mentioned landing places:— 1. Kukarwada. 2. Hanset. 3. Bhadbhut. 4. Ambheta.	Off the Custom House
7. Bhagva	So much of the river of Tena and Kim as lie to the east of a line drawn north and south from the Bhagva Dandi light to the north bank of the Kim River and south bank of the Tena River respectively.	For all goods—near the Custom House. For free goods from Customs ports—the under-mentioned landing places:— 1. Kantiajal. 2. Kundiana. 3. Tena. 4. Dandi.	Off the Bhagva creek.
8. Surat .	To the north—a line drawn directly across the Tapti from the boundary post immediately above Kimli Bunder at Rander. To the South—a line drawn across the mouth of the Tapti from the boundary post immediately to the south of Vaux's Tomb to the village of Danti on the south of the Bhimpore creek. All parts of the navigable channel of the Tapti below high water mark spring tides and so much of the Bhimpore creek as lies below and to the westward of a line drawn across the Khari from the boundary post immediately above Bhimpore and including the Dumas Channel between the said limits.	For all goods—near the Custom House. For free goods from the Customs ports—the undermentioned landing places:— 1. Umra. 2. Magdalla. 3. Dumas.	Off the Custom House.
9. Navsari	The navigable channel of the Purna river and all creeks leading into it but excluding the Khutara creek leading into Mutwad.	For all goods—the landing places known as Navsari bundar and Jalalpur bundar, which comprises of the present Revenue Survey No. 154/I. For free goods from the Customs ports—any place—within the limits defined in column 2.	The anchorage off the Navsari bundar.

1	2	3	4
10. Matwad	Navigable channel of Pur- na River and anchorage outside within $2\frac{1}{2}$ miles—radius from mid- channel at mouth and also the Kanai creek from its mouth up to the village and Jageswar.	For all goods—the Matwad Custom House. For free goods—from Cus- toms ports the under- mentioned landing places :— 1. Off the light Cabin Bhaga. 2. the landing place at Bodali. 3. the landing place known as the Jalalpur-Bunder.	The anchorage off the Matwad creek.
11. Billimora	The navigable channel of the Ambika river and all the rivers and creeks leading into it.]	For all goods—the land- ing place adjoining the Railway siding opposite Custom House. For free goods from Cus- toms ports—any place within the limits prescribed in column 2.	The anchorage off the Custom House.
12. Bulsar	Channel at the Auranga River east of the bar.	For all goods off the Cus- tom House and for free goods from Customs ports—any place within the limits defined in column 2.	Off the Custom House; Bulsar.
13. Umarsadi	Channel of the Par River east of the bar.	Do.	Off the Custom House, Umarsadi.
14. Kolak	Channel of the Kolak River east of the bar.	Do.	Off the Custom House, Kolak.
15. Kalai	A line from north to south bank of the Kalai creek and the coast south- wards as far as and in- cluding the village of Phunseh the shores and banks within this line.	For all goods—the landing place in front of the Custom House. For free goods from Customs ports—the landing places at Kalai and Phunseh.	The offing, Kalai.
16. Maroli	The anchorage within a radius of one mile from entrance of creek mid- channel—the shores and banks within these limits as far as navigable.	For all goods—the shore to the west of the Village of Maroli.	The anchorage in the creek and in the offing to the west of the village.
17. Umbargaon	A coast line from the north bank of the Umbergaon creek to Chikhli in the south, the anchorage to west of Gholwad and the banks of the creeks as far as navigable.	For all goods—the shore of the creek beneath the Custom House. For free goods from Cus- toms ports—anywhere within customs limits.	The anchorage below the Custom House.
18. Dahannu	A line from the north to the south bank of the entrance of the river and the banks of the river within that line.	For all goods—opposite the Custom House. For free goods from Cus- toms ports—anywhere within customs limits.	The anchorage abreast of the Custom House.

1	2	3	4
19. Tarapur	The navigable channel of the Tarapur creek east of a line drawn across the entrance of that creek and the coast line south as far as Givli, also anchorage outside the creek.	For all goods--the landing place near the Custom House. For free goods from Customs ports--within the Customs limits.	The anchorage in the offing.
20. Navapur	A line from the north to the south bank of the entrance of Navapur creek and the banks of the creek as far as navigable.	For all goods--the shore beneath the Custom House. For free goods from the Custom ports--anywhere within port limits.	The anchorage near the Custom House.
21. Satpati	A line from south-west point of village of Morabe in the north to north-west to extremity of Satpati and thence following the shore as far as and including the village of Shirgaon--the banks, shores and creeks within these limits.	For all goods--the shore beneath the Custom House. For free goods from Customs ports--the landing place at Shirgaon and any where within the Satpati creek.	The anchorage below the Customs House.
22. Kelwa	The coast line from the north bank of the Wadrai creek to the south bank of the entrance of the Kelwa creek, and thence following the shores to and including the village of Usarni--banks, shores and creeks within these limits.	For all goods--the shore opposite the Custom House. For free goods from Customs ports--any place within Wadrai and Mahini creeks, the landing place at Usarni and anywhere within the Kelwa creek.	The anchorage opposite the Custom House.
23. Arnalla	A line following the coast from the village of Mathurne (Muthane) to the westernmost extremity of Yedwan, then running straight to the north-west extremity of Arnalla island, thence following the shore to the southernmost point of that island and thence in a south-easterly direction on the mainland, the shores north and east of that line and the Banks of the Manori and Bhatana creeks of the Vartana river as far as navigable.	For all goods--the shore to the west of the Custom House and the north shore of the river to the south of the Custom House at Dantivra. For free goods from customs ports--the landing places at Mathurne (Muthane) and Vadwan anywhere within the Customs limits.	The anchorage off the Customs House and in the creek on the north to the South-west of the Custom House at Dantivra.

1	2	3	4
24. Bassein	A line following the coast from the north bank of Rangoon creek and thence drawn across the Bassein creek to Dharavi. The shores and banks of Dongri and Rai Murdha creeks half a mile beyond the salt works south and east of Sopara creek as far as Manikpur bridge, the Kaman creek and of the Bassein creek including the village of Kharbao as far as the boundary of the port of Thana.	For all goods—the masonry landing place to the east of Bassein Fort. For free goods from Customs ports—the landing place at Rangoon and anywhere in the Bassein, Rai Murdha, Dongri, Sopara and Kaman creeks included within port limits.	The anchorage opposite the Custom House.
25. Uttam	A line drawn half a mile seaward from the north point of Dharavi Hill and thence south along the coast half a mile from it as far as Gorai village, and thence due east to the shore and coast within that line.	For all goods—opposite the Custom House. For free goods from Customs ports—within Customs limits.	The anchorage opposite the Custom House.
26. Manori	A line drawn to a point half a mile west of western extremity of Kusa and then following the contour of the coast, at the same distance from it to a point half a mile to the west, of southern most extremity of Manori thence to Yerungal Tower, thence taking a north-easterly direction to the west end of the Malwani Causeway, and thence to the east end of the said causeway the shores, banks and creeks within these lines. The limits of the port in the creeks leading to the salt works at Rai and Murdha extend upto a mile of the said works only.	For all goods—the shore near the Custom Chauki at Marva. For free goods from Customs ports—within Customs limits.	The anchorage in the creek near Marva Chauki.
27. Vesava	The coast line from Yerungal Tower to south-western most point of Mhud and thence taken in a south-easterly direction through Jhu to the mainland, in the north the boundary follows the southern limit of port of Manori from east of Malwani Causeway to Yerungal Tower.	For all goods—opposite the Custom House at Vesava. For free goods from Customs ports—anywhere within Customs limits.	The anchorage in the creek opposite the Custom House.

1	2	3	4
28. Bandra	The coast line from Mulla in the north to the north bank of Bandra creek and so much of the Bandra creek as is within a line drawn from the last mentioned point to midstream and following midstream in an easterly direction to Mahim Causeway—the banks and shores within these limits as far as navigable.	For all goods—the landing place at the Custom House. For free goods from Customs ports—anywhere within Customs limits.	The anchorage to the West of the Custom House.
29. Mahul	The coast and creeks to the north of the Port of Bombay boundary line between Mahul and Sewari so far as navigable.	For all goods—the pier at Mahul.	The anchorage near the pier.
30. Trombay	A line from the northernmost boundary pillar of the Port of Bombay near the village of Trombay to a point on the Bombay boundary line half way between the above-mentioned Pillar at Trombay and the pillar on Hog Island, thence to the north limit of the port of Panvel in the village of Trombay and another line from the north-west point of the village of Deweh due west to the opposite shore the coast and banks within these lines.	For all goods—the wharf at Trombay. For free goods from Customs Ports—the wharf at Trombay, the landing places at Ghatkopar and Kharine.	The anchorage near Trombay Preventive Barge.
31. Thana	From the north limit of Trombay Harbour to the line marking the northern limits of the Thana bridge nearing the Poona road including the banks of river and creeks within these limits.	For all goods—the landing place to the north of the Thana Salt wharf and between that landing Place and the Railway bridge. For free goods from Customs Ports—the landing places opposite the Thana Koliwada and Kalwa and anywhere within Customs limits.	The anchorage off the Thana Salt Wharf.
32. Bhiwandi	A line drawn from the west point of the village of Kalher to the East point of the village of Kolset and thence due north to the east point of the village of Owla and further on to the village of Kharbav on the opposite shore including the banks of the Thana river and of all creeks within these limits.	For all goods—the Customs wharf at Bhiwandi. For free goods from Customs ports within Customs limits.	Off Custom House, Bhiwandi.

1	2	3	4
33. Kalyan.	A line drawn from the Northern limit of the new bridge bearing the Agra Road at Kalwa to the eastern point of the village of Kolset due east to the opposite shore including the banks of the Thana and Kalyan creeks within these limits.	For all goods—the Customs wharf at Kalyan. For free goods from Customs ports—within Customs limits.	Off the Customs wharf and office Kalyan.
34. Panvel	From a point on the north shore off Hog Island quarter of a mile eastward of Hydraulic Lift to southernmost boundary of village of Trombay on east bank of Thana Creek—the coasts and creeks within these limits as far as navigable.	For all goods—wharf at Panvel and landing place below the Custom House at Belapur. For free goods from Customs ports—anywhere within Customs limits.	Off the Belapur Customs House except boats coming for salt which should go to Trombay and boats bound to or from Panvel which should go to that port.
35. Mora.	West—a line drawn from the Bombay boundary pillar on the shore west of the Mora village to Bombay boundary pillar on the shore to the South-west of Hydraulic Lift, Hog Island—the banks and creeks within that line as far navigable. In the Shewa Nhawe Creek the farthest limit is the Panvel road.	For all goods—the landing place near the spirit testing shed. For free goods from Customs ports—anywhere within Customs limits.	Near the Mora Preventive Barge.
36. Karanja	The banks and creeks as far as navigable within a line drawn from the beacon at Thull knob in a northeasterly direction to the boundary pillar on the mainland of Karanja opposite Nowkar point. In the Jasai Creek the Panvel Road is the farthest limit.	For all goods—the wharves at Karanja, Antora and Nagothna and the landing place in front of the Custom House at Mandwa. For free goods from Customs ports—any place within the limits given in column 2.	For vessels bound to and from Mandwa or places south of Mandwa, the Custom House at Mandwa. For all other vessels the Karanja Preventive Barge.
37. Thal.	The shore between south-east boundary of Bombay harbour and south bank of Varsoli creek, with anchorage between these points and Varsoli river as far as it is navigable.	For all goods—in front of the Custom House. For free goods from Customs ports—within Customs limits.	The anchorage west of Thal.

1	2	3	4
38. Alibag	A line from north point of Fort north-east to the shore and a line from the south point of Fort east-south-east to the Chaul Kadu Beacon and thence in a straight line due east to the shore, and shores and bay and creeks within these lines as far as navigable.	For all goods — the landing place near the custom House. For free goods from Customs ports— anywhere within Customs limits.	The anchorage off Alibag.
39. Revdanda	A line from the north-west corner of Chaul Fort to north-west extremity of Korlai Fort—the banks and river as far as navigable.	For all goods—the landing place to the south of the Custom-House. For free goods from Customs port—anywhere within Customs limits.	The anchorage to south of the Custom House.
40. Murud-Janjira	A line from the south-west point of the More village to the southern extremity of Ekdara hills—all banks of Murud creek as far as navigable.	For all goods—the landing place near the Customs House. For free goods from Customs ports—anywhere within port limits.	The anchorage to the south-west of custom House.
41. Rajpuri	A line from the southern outskirts of Ekdara hill to the Nanoli light-house—all banks of Rajpuri river and Mandad creek as far as navigable.	For all goods — the landing place off the custom House. For free goods from Customs ports—anywhere within port limits.	The anchorage to the south of the Customs House.
42. Kumbharu	A line from Nanoli light-house in the north up to Shelchadi village in the south, the creeks of Divaghar and Karle as far as navigable.	For all goods—the landing place near the Custom House. For free goods from Customs ports—Divalghar.	The anchorage to the west of the Customs House.
43. Borlai Mandla	A line from the Southernmost corner of Korlai port up to the northern outskirts of Korlai village.	For all goods—the landing place near the Custom House. For free goods from Customs ports—anywhere within port limits.	The anchorage to the south of the Custom House.
44. Nandgaon	A line westward from Kashid village upto the North western point of More village—all banks of Nandgaon creeks as far as navigable.	For all goods—the landing place near the Custom House. For free goods from Customs ports—anywhere within the port limits.	The anchorage to the west of the Custom House.
45. Shrivardhan	A line south-ward from Shekhadi village upto the head land of Harshwar.	For all goods — the landing place near Custom House. For free goods from Customs ports—anywhere within port limits.	The anchorage to the south of the Custom House.

46. Bankot	A line from the north to the south entrance of the Bankot River and the banks of the river as far as navigable, then again a line from the south entrance of the Bankot River to the south bank of Adeh creek—the creeks, shores and banks within these limits as far as navigable.	For all goods — the shore opposite the Custom House. For free goods from customs ports — anywhere within Customs limits.	The anchorage opposite the Custom House.
17. Harnai.	The coast line from the north shore of entrance to Jog River to the south corner of southernmost fort, thence in a straight line to a point south of Panda Hamlet and thence following the shore to the Northernmost point of Burundi headland—the shores and creeks within these limits as far as navigable.	For all goods—the sea shore opposite Custom House. For free goods from Customs ports—the landing places at Harnai, Paj, Murud, Karandeh Ladghar and Burundi, and anywhere on the banks of Jog River.	The anchorage at Harnai.
Dabhol	The coast from the north corner of Coulter village as far as Wanosi, thence a line drawn direct to a point on the shore due west of Anjanwel lighthouse and thence following the coast of the northernmost point of Gubagar village—the shores and creeks within these limits as far as navigable	For all goods—landing place opposite Dabhol Custom House. For free goods from Customs ports—anywhere on the banks of the Anjanwel creek and the landing place at Coulter.	The anchorage to the west of the Dabhol Custom House and that on the east within 200 yards of the Custom House
19. Borya	The coast line from the southernmost point of Palshet village round Borya headland to its southernmost point, thence a line drawn direct to north-west extremity of promontory south of Sakhari and the coast line to the south bank of Narvan creek—the banks and creeks within these limits as far as navigable.	For all goods—the shore below the Custom house. For free goods from Customs ports—the landing places at Budhal Redvi and Narvan.	The anchorage below Borya Custom House.
30. Palshet	The shores and creeks within the limits as far as navigable from the northernmost point of the Palshet village.	For all goods—the jetty to the south of the Custom House. For free goods from Customs ports—anywhere within port limits.	The anchorage at Palshet.

1	2	3	4
51. Jaigad	A line from the headland south of Narvan Bay to the most northerly point of Jaigad Head and thence following the coast to the north-east corner of Ambu Bay—the river, banks and shores within these limits as far as navigable.	For all goods—the landing place near the Custom House. For free goods from Customs port only—the banks of Jaigad creek and the landing place at Ambu.	Opposite the Custom House, Jaigad
52. Varavda	A line drawn from western most point of Tewn Head N.N.E. to the shore and another line from the same point $1\frac{1}{2}$ mile due south and thence due east to the shore extending along the coast line to the south bank of entrance to Nevri creek—the creeks and banks within these limits.	For all goods—the shore opposite the Custom House. For free goods from Customs ports only—the banks of Varavda creek and the landing places at Ganpati and Nevri.	Opposite the Custom House.
53. Ratnagiri	From north bank of entrance of Are River to northern most point of Mirya, thence to southernmost point of that promontory, and thence skirting Ratnagiri Fort to Northern extremity of Kushipur point extending along the coast line to south-west shore of Paos Bay—the creeks and shores within these limits as far as navigable.	For all goods—the beach opposite Custom-House and from the 15th May to 15th October the north east shore of Mirya Headland at the mouth of the Kalbadevi creek. For free goods from customs ports. The shores of Mirya and Ratnagiri Bays the landing places at Are and Paos and the banks of Kabadevi and Ratnagiri creeks as far as navigable.	The anchorage to the south of the Fort, or from the 15th May to the 15th October the anchorage in Mirya Bay.
54. Purnagad	A line from the western extremity of the north headland of the bay outside the entrance of the river to the western most extremity of the south headland of the same bay—the sea beach within that line and the banks of the Muchkundi River as far as navigable.	For all goods—the beach below the Customs House and for 50 yards on each side of it. For free goods from Customs ports—within customs limits.	Opposite the Custom House.
55. Jaitapur	From Amulghar Headland to lighthouse on south headland of Yeshwanagar creek and the banks of the creek as far as navigable.	For all goods—the wharf opposite the Custom House. For free goods from Customs ports—the banks of Yeshwanagar creek and the landing place at Amulghar.	Opposite the Custom House at Jaitapur.

1	2	3	4
56. Vijayadurg	From north to south headland at entrance of the Vaghotna River and the coast southwards as far as and including Kaloshi—the banks of the river and shores as far as navigable.	For all goods—the landing place near the Custom House. For free goods from Customs ports—the banks of the river Vaghotna and the landing place at Kaloshi.	Opposite the Custom House.
57. Devgad	A line from north to south entrance of the river and then following the coast to the south end of Kunkeshwar sands.	For all goods—shore opposite the Custom House. For free goods from Customs ports—the banks of the river and the landing places at Membre and Kunkeshwar.	Opposite the Custom House, Devgad.
58. Achra	From the extremity of the north headland to a point one mile due south of it and thence in a straight line to the shore—the coast within this line and the banks of the river as far as navigable.	For all goods—the shore opposite the Custom House. For free goods from Customs ports—the banks of the river.	Opposite the Custom House, Achra.
59. Malwan	From the north bank of entrance to Sarjekot creek to south point of Kawda Rock, from Kawda Rock to the western extremity of Sindhudurg and from this point to south bank of entrance of Karli River—the banks and shores within these limits.	For all goods—the shore opposite the Custom House. For free goods from Customs ports—the banks of the Sarjekot and Karli Rivers.	Opposite the Custom House.
60. Nivti	From south bank of entrance of Karli River and thence following the line of coast to south boundary of village of Kelus, including the Nivti creek, as far as navigable.	For all goods—the landing place near the Custom House. For free goods from Customs ports—the banks of the Karli and Nivti creeks and the landing places at Pajar, Khawneh and Kelus.	Opposite the Custom House.
61. Vengurla	The coast line from northern extremity of Phalaye Phundch beach to south west extremity of lighthouse headland, thence a line drawn to west point of Mutha Head and the coast south as far as south bank of entrance to Karjanbag creek including the Dabholi and Karjanbag creeks as far as navigable and the banks and shores within these limits.	For all goods—the wharf on the south side of lighthouse headland and that opposite the Custom House. For free goods from Customs ports—the landing places at Phalaye Phundch Kundarh and Vaigam and anywhere on the banks of the Dabholi and Karjanbag creeks.	Opposite the pier.

1	2	3	4
62. Redi	A line from south bank of Karjanbag to northern extremity of Redi point and then following the shore to north west boundary of Terekhel including the Redi creek as far as navigable. The anchorage west of Redi creek.	For all goods—the landing place near the Sarkarkuns Katcheri on bank of salt work. For free goods—from customs ports—anywhere on the banks of the Redi River and at the following landing places Areli, Kawdakhel, Phanaskhol.	The anchorage to the north of Redi Hill.
63. Kirnapani	A line from easternmost boundary of Terekhel village southwards to middle of creek and thence following the centre or thread of the stream as far as the river is navigable the banks and shores to the north and east of this line.	For all goods—shore to the south of custom house. For free goods from Customs ports—anywhere within Customs limits.	The anchorage to the south of custom-house.
64. Tilmati	A line from southernmost limit of Portuguese territory on the sea coast to Black or Kumba Rock and thence skirting the west of Kungi Gudda direct to the mainland—the shores and banks within these limits.	For free goods from customs ports, within customs limits.	The anchorage in the offing.
65. Sadashivgad	From south bank of mouth of Sadashivgad River to Dayamada point and all branches of the river to the east of this line as far as navigable.	For all goods—the pier in front of the Custom-house.]]]] For free goods from customs ports only—anywhere on the banks of the Sadashivgad River.	The anchorage to the north of the Custom house within 100 yards of the shore.
66. Karwar (including Bai-tkhel).	From south bank of entrance to Sadashivgad River to light-house on Oyster Rock and thence direct to Karwar Head north point—the shores and banks within these limits.	For all goods—the wharf and pier below the custom-house.]]	The anchorage to the east of Karwar Head.
67. Bingi	A line from southernmost point of north head land of the bay to Westernmost extremity of small point north of the beach of Arge.	For free goods from Customs ports only—the hamlet below the village.	The anchorage below the village of Bingi
68. Chendia	From the extremity of Chendia Headland through Sondgi Gudda to Karkul Rock, thence to the west point, of Henokody Hill and the shore within that line.	For free goods from customs ports only—the beach below the custom house.	The anchorage is the offing.

69. Belekeri	A line from Kedar Gudda point to Belekeri point the shores and banks within that line.	For all goods : the beach below the custom-house. For free goods from customs ports—the banks of the Belekeri and landing places at Amdali and Kedar.	The anchorage in creek or roadstead outside.
70. Ankola	A line from north to south bank of entrance to river and banks of the river within that line. The anchorage off the creek.	For all goods—the beach below the custom-house. For free goods from customs ports only—within customs limits.	The anchorage in the creek or roadstead outside.
71. Gangavali	A line from north to south bank of the entrance of the river and the banks of the river as far as navigable.	For all goods—the beach below the Custom-house. For free goods, from custom ports only—within customs limits.	Opposite the custom-house.
72. Tadri	A line from westernmost point of hill at the north to westernmost point of hill at south entrance of the river and the banks of the river within that line as far as navigable.	For all goods—opposite the custom house, Tadri For free goods from customs ports only—anywhere within the customs limits excepting the west bank of the arm of the river running to Sanikatta.	For steamers—the anchorage outside the bar—For Country craft—opposite the custom house and within 100 yards of the shore.
73. Kumta	A line from the Westernmost point of the north headland one mile Seawards, thence one mile due south and thence due east to the shore, the coast and banks of creeks within that line.	For all goods—the wharf in front of the Custom house. For free goods from customs ports—anywhere within port limits.	The anchorage south of the north headland.
74. Honavar	The anchorage to the West of the bar, the bar and the banks of both branches of the creek as far as navigable.	For all goods—the wharf in front of the custom house. For free goods from customs ports—anywhere within customs limits.	For large vessels unable to enter the river the anchorage west of the bar For country craft—opposite the custom-house within 100 yards of the shore.
75. Manki	A line due south from the west point of Manikidurg Hill for a mile and a half and thence due east to the shore the coast within that line.	For all goods—the shore upto 100 yards south of the custom-house.	Opposite the custom house.
76. Murdeshwar	A line from the west point of the hill due south for $1\frac{1}{2}$ mile, thence due east to the shore—the coast within that line.	For all goods—the shore to the west of the Custom-house.	The anchorage to the West of the Custom house.

1	2	3	4
77. Shirali	A line from north to south bank of entrance of Shirali river and the banks of all branches of the river as far as these branches are navigable.	For free goods from customs ports only—the shore in front of the custom-house (open for all goods).	Opposite the Custom house.
78. Bhatkal	A line from a point on the Seashore half a mile north of the river drawn seaward one mile, thence due south until abreast of Tanirmadi point and thence straight to the shore—the coast and the banks of the river within these limits.	For all goods—the bank of the river in front of the custom house. The seashore from a point 50 yards south east of the custom house to another point 50 yards west of the custom-house. For free goods from customs ports—anywhere within port limits.	The anchorage to the west of the custom house or in the river opposite the custom house.

[No. 119.]

S.R.O. 554.—In exercise of the powers conferred by section 9 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue directs that the following further amendment shall be made in the Rules published with the notification of the Board of Revenue (Separate Revenue), Madras, dated the 10th March 1910, namely:—

In the said Rules—

- (a) in the preamble, for the words “Presidency of Madras” the words “States of Madras and Travancore-Cochin” shall be substituted; and
- (b) in rule 5-A, for the words “outports in the Madras Presidency” the words “ports in the States of Madras and Travancore-Cochin except for the ports of Madras and Cochin” shall be substituted.

[No. 122.]

S.R.O. 555.—In exercise of the powers conferred by clause (c) of section 9 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue directs that the following further amendment shall be made in the Rules published with the Resolution of the Government of India in the late Finance Department (Central Revenues) No. 63-Customs, dated the 16th July 1927, namely:—

In rule 4 of the said Rules,

- (a) In sub-rule (3), for the words “Inspectors of Customs Circles in the Madras Presidency” the words “Superintendents of Customs Circles in the States of Madras and Travancore-Cochin” shall be substituted; and
- (b) in sub-rule (4), for the words “Madras Presidency” the words “States of Madras and Travancore-Cochin” shall be substituted.

[No. 123.]

S.R.O. 556.—In exercise of the powers conferred by clause (a) of section 11 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue

hereby declares the following places in the State of Travancore-Cochin to be ports for the shipment and landing of goods, namely:—

AJLEPPEY
QUILON
TRIVANDRAM
KOILTHOTTAM
COLACHEL

[No. 124.]

S.R.O. 557.—In exercise of the powers conferred by section 12 of the Sea Customs Act, 1878 (VIII of 1878) the Central Board of Revenue hereby declares the following places in the State of Travancore-Cochin to be ports for the carrying on of coasting-trade with Customs-ports generally and for no other purposes, namely:—

Leepuram.
Kovalam.
Rajakkamangalam.
Manakudy.
Kondiapattanam.
Malipuram.
Anjengo.

[No. 125.]

S.R.O. 558.—In exercise of the powers conferred by section 59 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue hereby makes the following rules for granting special passes to break bulk in the Customs-ports in the State of Travancore-Cochin, namely:—

- (1) A special pass may be granted on application in writing on a paper stamped with the proper court-fee stamp, and such application may be received before the arrival of the vessel for which the pass is required.
- (2) In the case of steamers and square-rigged vessels discharging in a dock, the goods in respect of which a special pass has been obtained shall be deposited in a separate shed or portion of a shed; and in the case of such vessels discharging in the stream the said goods shall be stacked on the wharf in such manner as the Customs officer on duty may direct in order to prevent their being mixed with other goods. In neither case shall the goods be removed from the place of deposit until manifest and bills of entry have been put in.

[No. 126.]

S.R.O. 559.—In pursuance of section 83 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue is pleased to direct that the following amendment shall be made in its notification No. 21-Customs, dated the 18th March 1950, namely:—

In the said notification, for the words "Bombay and Madras" the words "Bombay, Madras and Travancore-Cochin" shall be substituted.

[No. 127.]

, THE SE. 3, 1) [ART 4-5] 80: 4

S. R. O. 560.—In exercise of the powers conferred by section 85 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of all previous notifications on the subject, the Central Board of Revenue is pleased to declare that the provisions of the said section shall be applicable to all Customs-ports in the States of Bombay, Madras and Travancore-Cochin and to the port of Calcutta.

[No. 128.]

D. P. ANAND, Secy.

MINISTRY OF COMMERCE

CENTRAL TEA BOARD

New Delhi, the 9th September 1950

S.R.O. 561.—In pursuance of section 4 of the Central Tea Board Act, 1949 (XIII of 1949), the Central Government is pleased to notify that Mr. E. A. Hutchison of Messrs James Finlay & Company Limited, Calcutta nominated by the Associated Chambers of Commerce of India, Royal Exchange, Calcutta, shall be a member of the Central Tea Board *vice* Mr. C. C. C. Bell.

2. Mr. E. A. Hutchison shall hold office for a term of three years with effect from the date of this notification

[No. 306(1)-Law(Tea)/50.]

S.R.O. 562.—In pursuance of section 4 of the Central Tea Board Act, 1949 (XIII of 1949), the Central Government is pleased to notify that the Government of Tripura has nominated Mr. K. K. Hajara, I.C.S., Chief Commissioner of Tripura as a member of the Central Tea Board *vice* Mr. R. K. Ray.

2. Mr. K. K. Hajara shall hold office for a term of three years with effect from the date of this notification

[No. 306(1)-Law(Tea)/50.]

S.R.O. 563.—In pursuance of section 4 of the Central Tea Board Act, 1949 (XIII of 1949), the Central Government is pleased to notify that the Government of Assam has nominated Shri S. L. Mehta, I.C.S., as a member of the Central Tea Board *vice* Shri B. C. Kapur

2. Shri S. L. Mehta shall hold office for a term of three years with effect from the date of this notification

[No. 306(1)-Law(Tea)/50.]

A. T. BASU, Dy. Secy.

MINISTRY OF INDUSTRY AND SUPPLY

New Delhi, the 5th September 1950

S.R.O. 564.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that the following further amendment shall be made in the Iron and Steel (Control of Production and Distribution) Order, 1941, namely:—

In sub-clause (2) of clause 11AA, the words "for cash" and "if so requested by the purchaser", shall be omitted.

[I(1)-4(59)/I.]

S.R.O. 565.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that the following further amendment shall be made in the Iron and Steel (Scrap Control) Order, 1948, namely:—

In sub-clause (2) of clause 7A, the words "for cash" and "if so requested by the purchaser", shall be omitted.

[I(1)-4(59)/II.]

N. R. REDDY, Under Secy.

New Delhi, the 5th September 1950

S.R.O. 566.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that the following amendments shall be made in the Colliery Control Order, 1945, as continued in force under section 17 of the said Act, namely:—

(1) In clause 8 after the words "including directions as to the", the words "grade, size and quantity of coal which may be disposed of and" shall be inserted.

(2) After clause 10, the following clause shall be inserted, namely:—

"10A(1) The Coal Commissioner with the Government of India may, by order in writing direct, that any coal despatched by any colliery owner, or a person acting on behalf of a colliery owner, to any person, which is in transit, shall, subject to such terms and conditions, if any, as the said Coal Commissioner deems fit, be diverted and delivered to another person specified in the order.

Explanation.—For the purposes of this clause coal shall be deemed to be in transit from the time when it is delivered to a carrier or other bailee for transmission to the consignee thereof and until the consignee or his agent has taken actual delivery of the entire quantity of coal from such carrier or other bailee.

(2) As soon as an order is made under sub-clause (1), all the rights of the consignee, the owner of the colliery, or other person in the said coal shall subject to the terms of the order devolve upon and vest in the person to whom the coal is to be delivered under the said order.

(3) The Coal Commissioner with the Government of India may if he thinks fit modify or cancel any order made under sub-clause (1) and direct the coal to be diverted or delivered to a person other than the person originally named therein and the provisions of this clause shall thereupon apply as if such person was the consignee of the coal.

(4) The person to whom coal is delivered under any order made under clause (1) or clause (3) shall pay such price including freight, loading insurance and other charges and to such person as the Coal Commissioner with the Government of India may direct.

(5) Where an order is made under sub-clause (1), there shall be paid to the consignee of the coal such compensation as the said Coal Commissioner considers reasonable. Such compensation may at the option of the said Coal Commissioner be either:—

(a) by delivery to such consignee by the Central Government of the same quantity of coal of same or similar quality, size and

grade and at the same place, as soon as coal for such purpose is available, or

- (b) by payment to such consignee by the Central Government of monetary compensation consisting of the price of coal paid by him and such freight insurance, loading and other lawful charges incurred by him as are allowed by the said Coal Commissioner.

Provided that where the consignee fails to produce before the said Coal Commissioner satisfactory evidence regarding the price of coal paid and other charges incurred by him, the said Coal Commissioner may fix the amount of compensation according to the best of his judgment.

Provided further that where compensation under clause (a) is not made within 90 days from the date of the order under sub-clause (1) the consignee shall be entitled to compensation under clause (b).

- (6) Where any person other than the consignee claims any interest in the said compensation or the consignee fails to accept the said compensation, within 15 days after notice requiring him to do so, the said Coal Commissioner may fix the amount of compensation under sub-clause (b) of clause (5) and after such enquiry as he thinks fit specify the person to whom such compensation shall be paid.
- (7) The decision of the said Coal Commissioner regarding the amount of compensation and the person to whom such compensation is payable, shall be final.
- (8) Where a consignee is compensated in the manner provided in sub-clause (5) neither he nor any other person claiming under him shall have any further claim upon the Coal Commissioner with the Government of India or upon the Central Government in respect of the said compensation or otherwise, whatsoever.
- (9) The payment of the compensation fixed under sub-clause (b) of clause (5) to a person specified by the Coal Commissioner with the Government of India under sub-clause (6) shall be a full discharge of the Central Government and the said Coal Commissioner from all liabilities in respect of the coal specified in the order made under sub-clause (1) to which such compensation relates and of all other claims arising out of the said order or otherwise, whatsoever.
- (10) Nothing contained in sub-clauses (8) and (9) shall prejudice any rights in respect of the said Coal including a right to receive compensation to which any person may be entitled under the law against the consignee or a person to whom compensation is paid under 15 days.
- (11) Any order made under this clause may be served upon the person affected thereby either by registered letter addressed to such person at his place of residence or the last known place of residence or by publication in the Official Gazette of the State where he ordinarily resides.

(12) The powers conferred upon the Coal Commissioner with the Government of India under this clause may be exercised in the like manner and subject to the like conditions by any officer authorised by him in writing".

(3) After clause 12, the following clauses shall be inserted, namely:—

"12A. Notwithstanding anything heretofore contained in this order, an authority competent to allot coal under this order shall allot it, subject to such conditions as the Central Government may specify.

12B. A person who has been allotted coal under this order shall not use it otherwise than in accordance with the conditions contained or incorporated in the document containing the order of allotment and shall not divert or transfer any such coal to any other person except under a written authority from the Central Government.

12C. Where, on any information received or otherwise, the Central Government is satisfied that a person who has been allotted coal under this order does not require the whole quantity of the coal so allotted or any part thereof for the purpose for which it was allotted, the Central Government may, by order in writing, direct such person to deliver the whole quantity of such coal or any part thereof, as the case may be, to such person and at such price as may be specified in the order.

12D. (1) Every person who has been allotted coal under this order shall maintain a record containing the following particulars, namely:—

- (a) the quantity of coal allotted of each grade and size;
- (b) the quantity consumed of each grade and size of coal; and
- (c) the purpose for which it was consumed

(2) The Central Government, with a view to satisfying itself, that any coal allotted under this order is utilised for the purpose for which it was allotted, may call upon any person to submit such information or returns as the Central Government may deem fit.

12E. No person shall acquire or purchase or agree to acquire or purchase any coal from a colliery and no colliery owner or his agent shall despatch or agree to despatch or transport any coal from the colliery except under the authority and in accordance with the conditions contained in a general or special authority of the Central Government.

(4) In clause 15.—

(a) for the word and figures "13 and 14" the words and figures "12A, 12B, 12C, 12D, 12E, 13 and 14" shall be substituted.

(b) for the words and brackets "and the Deputy Coal Commissioner (Production)" and words and brackets "the Deputy Coal Commissioner (Production) and the Joint Deputy Coal Commissioner (Distribution)" shall be substituted

[No. 190.]

S. BHOTHALINGAM, Joint Secy.

MINISTRY OF AGRICULTURE

New Delhi, the 5th September, 1950

S.R.O. 587.—In exercise of the powers conferred by clause (h) of sub-section (2) of Section 8 of the Indian Lac Cess Act, 1930 (XXIV of 1930), the Central Government is pleased to direct that the following further amendments shall be made to the Indian Lac Cess Rules, the same having previously been published as required by sub-section (1) of Section 8 of the said Act, namely:—

“In clauses (a) and (c) of the proviso to sub-rule (1) of rule 14 of the said Rules, for the letters and figures “Rs. 100” the letters and figures “Rs. 250” shall be substituted”.

[No. F.4-41/50-Com.]

A. N. BERY, Under Secy.

New Delhi, the 6th September 1950

S.R.O. 588.—In exercise of the powers conferred by section 4 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that the powers under sub-section (1) of section 8 of the said Act to make orders for enforcing mixed cropping of cotton with groundnut, chillie and ragi in any specified area or areas in the State of Madras, and in any specified proportion, shall also be exercisable by the Government of Madras subject to the condition that prior concurrence of the Central Government in the order to be issued is obtained.

[No. F. 3-79/50-J.C.]

S. R. MAINI, Dy. Secy.

MINISTRY OF HEALTH

New Delhi, the 31st August 1950

S.R.O. 589.—The following draft of a further amendment to the Drugs Rules, 1945, which it is proposed to make in exercise of the powers conferred by sections 12 and 33 of the Drugs Act, 1940 (XXIII of 1940), is published as required by the said sections for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 10th December 1950.

2. Any objections or suggestions which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In sub-rule (1) of rule 97 after clause (b) the following clause shall be inserted, namely:—

“(c) If it contains a substance specified in Schedule H, it should be labelled with the words:

‘Warning—To be sold by retail only on the prescription of a Registered Medical Practitioner.’ ”

[No. F. 10-23/49-DS.]

J. N. SAKSENA, Under Secy.

New Delhi, the 5th September 1950

S.R.O. 570.—In pursuance of clauses (a), (l) and (m) of Sub-Section (1) of Section 3 of the Indian Nursing Council Act, 1947 (XLVIII of 1947), the Central Government is pleased to notify:—

- (i) that Kumari E. Macleod, P.N.S., Matron, Ursula Horseman Memorial Hospital, Kanpur has been duly elected by the Uttar Pradesh Nursing Council as a member of the Indian Nursing Council with effect from the 29th June, 1950 *vice* Kumari Lena Williams, resigned;
- (ii) that the Superintendent of Nursing Services, Uttar Pradesh has been appointed as a member of the Indian Nursing Council with effect from the 29th June, 1950, *vice* the Director of Medical and Health Services (M) Uttar Pradesh, resigned;
- (iii) that in the notification of this Ministry No. F.12-1/46-M.II, dated the 21st April, 1949, under the heading 'Ex-officio members under clauses (l) and (m) of sub-section (1) of section 3:
 - (a) for items 5, 8 and 10, the following items, respectively, shall be substituted, namely:—

"5. Director of Health Services, Punjab.
8. Inspector-General of Civil Hospitals and Director of Public Health, Madhya Pradesh.
10. Director of Medical and Health Services, Uttar Pradesh."
 - (b) item 11 shall be omitted.

[No. F 12 1/46-M.II.]

HARBANS SINGH, Under Secy.

MINISTRY OF FOOD

New Delhi, the 6th September 1950

S.R.O. 571.—In exercise of the powers conferred by section 4 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that with effect from the 9th September 1950, the following further amendments shall be made:—

- (i) In the Notification of the Government of India in the late Department of Food, No. PY-603(2)-I, dated the 21st October, 1946, for the words, brackets and letters "foodstuffs including sugar and gur but excluding (1) gram, (2) pulses, (3) edible oils and (4) edible oilseeds" the words "foodstuffs, including sugar and gur but excluding gram, pulses, edible oils, edible oilseeds and ghee" shall be substituted;
- (ii) In the Notification of the Government of India in the Ministry of Food, No. PY-603(2)-X, dated the 22nd December, 1948, for the words, brackets and figures "foodstuffs, including sugar and gur, but excluding (i) gram (ii) pulses (iii) edible oils and (iv) edible oilseeds" the words "foodstuffs, including sugar and gur but excluding gram, pulses, edible oils, edible oilseeds and ghee" shall be substituted;
- (iii) In the Notification of the Government of India in the Ministry of Food No. CG-604(81)/49, dated the 5th November, 1949, for the

words "foodstuffs, including sugar and gur, but excluding gram, pulses, edible oils and edible oilseeds" the words "foodstuffs, including sugar and gur, but excluding gram, pulses, edible oils, edible oilseeds and ghee" shall be substituted; and

- (iv) In the Notification of the Government of India in the Ministry of Food No. CG-604(30)/50, dated the 1st July, 1950, for the words "foodstuffs, including sugar and gur, but excluding gram, pulses, edible oils and edible oilseeds" the words "foodstuffs, including sugar and gur, but excluding gram, pulses, edible oils, edible oilseeds and ghee" shall be substituted.

[No. CG-603(2)-XI(1).]

S.R.O. 572.—In exercise of the powers conferred by sub-section (1) of section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that no order made or deemed to be made—

- (a) by the Government of a Part A State or the Chief Commissioner of a Part C State under the said Act, or
(b) by the Government of a Part B State under the said Act or any other corresponding law in force in that State before the commencement of the said Act in that State

shall have effect from the 9th September 1950 so as to prohibit or restrict the movement of ghee from any place in a State to any other place within or outside the State or so as to regulate or control the price, production or distribution of ghee in any manner, what so ever.

[No. CG-603(2)-XI(2).]

S. K. SEN, Dy. Secy.

MINISTRY OF RAILWAYS (Railway Board)

New Delhi, the 28th August 1950

S.R.O. 573.—In exercise of the powers conferred by Section 72A of the Indian Railways Act, 1890 (IX of 1890), the Central Government is pleased to approve the following amendments to the forms of forwarding notes approved under the Ministry of Railways (Railway Board's) notification No. 4859-TC, dated 12th July, 1950:—

- (i) "In the forwarding note for dangerous goods, the following shall be inserted as clause (4)—

'(4) I declare that these packages contain _____ of a value of Rs. _____ enumerated in the Second Schedule to the Indian Railways Act IX of 1890. I engage*/do not engage* to pay the percentage charge on value for increased risk as required by the Administration. (Packages should be specifically mentioned).'

- (ii) On the reverse of the forwarding note for dangerous goods, the following shall be inserted as Explanatory Note No. (4)—

'(4) Railways are not responsible for any loss, destruction or deterioration of or damage to a parcel or package containing any article(s) specified in the Second Schedule to the Indian Railways Act IX

of 1890 whose value exceeds Rs. 300 per parcel or package unless the contents and value are declared and an engagement entered into to pay the authorised percentage on value charge, if required. The declaration of contents and value must be made in clause (4) overleaf and the word "engage" or the words "do not engage" struck out according to whether the consignment is to be booked by the Railway with bailee's responsibility or otherwise. The Administration hereby give notice that payment of percentage of value charge is required.'

- (iii) In the heading of the forwarding note for animals/or consignments declared to contain articles enumerated in the second schedule to the Railway Act, the words 'other than dangerous goods' shall be added at the end.
- (iv) The following shall be inserted as clause (3) in the same forwarding note and the existing clauses (3), (4) and (5) re-numbered as (4), (5) and (6)—
'(3) The consignment is in bad condition* and/or defectively packed as follows:—'
- (v) The following shall be inserted as explanatory note (3) on the reverse of the same forwarding note and the existing notes (3), (4) and (5) being re-numbered as (4), (5) and (6)—
'(3) A consignment not packed in accordance with the Railway rules or already in bad condition cannot be accepted for carriage unless the nature of the defect is recorded in clause (3) overleaf. Packages in such condition will not be accepted for carriage if the sender wishes to pay the percentage charge on value for increased risk.'''

(No. 4859-TC.)

S. S. RAMASUBBAN, Secy.

MINISTRY OF TRANSPORT

PORTS

New Delhi, the 31st August 1950

S.R.O. 574.—In exercise of the powers conferred by sections 7 and 36 of the Indian Ports Act, 1908 (XV of 1908), the Central Government is pleased to appoint with effect from the 8th September 1950, each of the officers specified in column 1 of the Table below to be the Conservator of the port or ports in the State of Kutch mentioned in the corresponding entry in column 2 thereof and to receive all dues, fees and other charges authorised to be taken at such port or ports by or under the said Act and subject to the control of the Central Government to expend the receipts on any of the objects authorised by the said Act.

TABLE

<i>Designation of the officer.</i>	<i>Name of the port.</i>
1. Deputy Superintendent of Central Excise, Bhuj.	Jhangi, Jakhan and Lakhpat.
2. Deputy Superintendent of Central Excise, Mandvi.	Mandvi.

Shri Chandrakant T. Sheth, General Secretary, Vadodra Rajya Bank Nekar Sangh, Baroda, for the employees.

AWARD

This reference was made by the Central Government by Order No. LR-2(248) dated the 5th January 1950. This is a dispute between five banks viz.,

- (1) the Bank of Baroda, Limited,
- (2) the Punjab National Bank, Limited,
- (3) the United Commercial Bank, Limited,
- (4) the Devkaran Nanji Bank Company, Limited.
- (5) the National Savings Bank, Limited,

and their employees. The heads of disputes are set out in Schedule II to the Order referred to above under 17 heads. The representatives of the banks and the Vadodra Rajya Nekar Sangh which is the only union of the employees concerned have agreed that so far as the common issues or heads of disputes in this reference and in the reference made by the Central Government in their Order No. LR-2(212) dated the 13th June 1949 are concerned the parties would be bound by the award resulting from the earlier reference. The only heads of dispute which are not covered by the issues to be found in Schedule II to the Order of the 13th June 1949 are No. 6—uniforms for lower paid staff and No. 14.—provision of canteens and tiffin rooms at the cost of the Bank.

As to the first of these issues the Sangh has made the following demands that the members of lower paid staff should be supplied with 8 sets of uniforms every year, each set of such uniforms to include such articles as are being supplied to the members of the lower paid staff according to the prevailing practice in addition to one umbrella per year. We are of opinion, as expressed by us in our award relating to the reference to certain disputes pending in the Industrial Court at Bombay and transferred to this Tribunal, that an umbrella should be provided once in two years for only such of the employees of the subordinate staff as have to do outdoor work, provided that if within such period the umbrella becomes unserviceable a new umbrella should be provided. As regards the other items we would apply our decision in the award referred to and we direct as follows: each member of the subordinate staff should be supplied with at least two sets of uniforms (consisting of 1 coat or daga, one pair of trousers and one head wear) every year, provided that if any of those sets or articles becomes unserviceable within the year it should be replaced by a new set or article.

As regards the demand for canteens and tiffin rooms, Shri Chandrakant Sheth has stated that the Bank of Baroda has provided a canteen at its head office at Baroda and he has asked for the provision of similar canteens in all the branches or at any rate the provision of a room and some furniture at each branch. Shri Daphtary on behalf of the said bank has stated that certain branches have only 2, 3 or 4 clerks and that the employees, where no canteen is provided, go home for lunch. Outside Baroda the bank has 25 clerks and 10 peons at its Navsari branch but at other places the total number of employees at any place is less than 25. Shri Singh of the Punjab National Bank states that his bank has one branch at Baroda where there is no room available, and Shri Tilak on behalf of the United Commercial Bank and Devkaran Nanji Bank has stated that in none of the branches of the banks which he represents are there more than 12 employees, except that at one branch the United Commercial Bank has 15 clerks. We direct that where a canteen exists it should continue and that elsewhere where a branch has 25 employees or more, including the subordinate staff, the bank shall provide a room with the necessary furniture to the employees where they can have lunch during the mid-day recess. We do not think any other directions are necessary.

As regards the other demands we direct that the provisions of our main award in the dispute referred to us by the Central Government on the 18th June 1949, so far as they relate to such demands, shall apply.

(Sd.) K. C. SEN,
Chairman.

(Sd.) J. N. MAJUMDAR,
Member.

(Sd.) N. CUANDRASEKILARA AIYAR,
Member.

BOMBAY;

Dated the 7th July, 1950.

[LR-2(248).]

N. M. PATNAIK, Dy Secy.

New Delhi, the 30th August 1950

S.R.O. 577.—In pursuance of section 17 of Industrial Disputes Act, 1947 (XIV of 1947), the Central Government is pleased to publish the following award of the All India Industrial Tribunal (Bank Disputes) in the matter of alleged victimisation, application for *interim* relief, etc., in respect of the employees of certain banking companies.

BEFORE THE ALL INDIA INDUSTRIAL TRIBUNAL
(BANK DISPUTES), BOMBAY

ADJUDICATION

BETWEEN

Bengal Central Bank, Limited,
Bharat Bank, Limited,
Central Bank of India, Limited,
Habib Bank, Limited,
Hind Bank, Limited,
Imperial Bank of India, (Bengal Circle),
Model Bank of India, Limited.

AND

Their Workmen.

In the matter of alleged victimization, application for interim relief, etc.,

Appearances

Mr. S. N. Sen, Solicitor, with Mr. A. K. Roy, General Manager, for the Bengal Central Bank, Limited.

Mr. P. C. Dutta of Messrs. Nahar & Datta, Solicitors with Mr. H. L. Goswamy, Manager, Calcutta Branch, for the Bharat Bank, Limited.

Mr. D. N. C. Nanavaty, Manager, Calcutta Branch, with Mr. E. J. Patel & Mr. S. K. Das for the Central Bank of India, Limited.

Mr. S. K. Mallick of Messrs. Sandersons & Morgans, Solicitors, with Mr. R. K. Balgi, for the Habib Bank, Limited.

Mr. T. N. Ganguli, Chief Accountant, for the Hind Bank, Limited.

Dr. S. K. Gupta, Counsel, instructed by Mr. S. K. Mullick of Messrs. Sandersons & Morgans, Solicitors, for the Imperial Bank of India.

No appearance for the Model Bank of India, Limited.

Mr. P. R. Sen, with Mr. K. C. Roy, General Secretary, for the Bengal Central Bank Employees' Association, Calcutta

Mr. F. K. Pandey, President and Mr. N. C. Das, Secretary, for the Bharat Bank Calcutta Employees' Association, Calcutta.

Mr. R. Subba Rao in person.

Mr. Sukumar Mullick and Mr. Ravi Kumar Chatterjee in person.

Mr. S. R. Ganguli, Secretary, Habib Bank Employees' Association, Calcutta.

Mr. Samu Mitra, Secretary, Hind Bank Employees' Union, Calcutta.

Mr. Jyoty Ghose, General Secretary, for the Imperial Bank of India Indian Staff Association (Bengal Circle), Calcutta

Mr. H. K. Ghose, Counsel, for Mr. Gopal Lal Sah. Mr. Miron Deo with Mr. B. K. Chowdhury and Mr. Jyoty Ghose General Secretary, of the Imperial Bank of India Staff Association (Bengal Circle), for R. N. Srivastava

AWARD

The matters dealt with in this Award were heard at Calcutta

BENGAL CENTRAL BANK LIMITED

Mr. P. R. Sen on behalf of the Bengal Central Bank Employees' Association placed before us the eight cases of employees dealt with below and claimed that they came either under issue No. 2 or issue No. 18. Issue No. 2 relates to "rules for fitting the existing staff into the revised scales of pay" and Issue No. 18 is "retrenchment and victimization". In the Association's statement of claims it has been demanded under sub-clause (iv) of issue No. 2 that the cases of candidates who were recruited for the posts of junior officers or in whose cases definite promise had been made or those who are actually doing the work that is considered as equivalent to an officer's work in the bank should immediately be promoted to junior officers' rank irrespective of vacancies. The bank contended that these cases should not be considered by the Tribunal at all or, in any event, under issue No. 2, because (1) issue No. 2 is a general issue and cases of individuals cannot be considered under it, and (2) the cases are not 'industrial disputes' inasmuch as the demand is not for promotion to any higher grade applicable to workmen but to promotion to the officers' cadre which is outside the scope of Industrial Disputes Act. During the hearing we expressed the opinion that there was considerable force in the contention of the bank and Mr. P. R. Sen appearing on behalf of the Association stated that he preferred to proceed with these cases under issue No. 18. Mr. Sen stated that there was an agreement on 19.3.1947 between the bank and the employees with regard to the classification of the employees, viz., as to who should be officers and that this classification was to be made by the management provided that before finalisation the representatives of employees were consulted. The finalisation was not done and out of the 8 cases two cases, viz., those of Ashoka Ratan Ganguly and Akhil Chandra Das, were put up by the employees for selection to the grade of officers. Mr. P. R. Sen made an application for cross-examination of some of the officers of the bank with reference to the remarks made by them on the representation made by the employees. We rejected the application, we have given our careful consideration to the remarks in dealing with each case, as well as the arguments advanced by the parties, on the footing that they are cases of victimization.

Ashoke Ratan Ganguly—His present designation is an assistant at the head office of the bank. He is an M.A. in Economics with Statistics as special subject and he was appointed on 2-1-46. His present emoluments are Rs. 86 and Rs. 30 as dearness allowance, i.e., Rs. 116 per month. His claim is for promotion to the junior officer's rank and the basis of his claim is that at the time of

recruitment he was taken in under the Graduate Apprentice Training Scheme and he was told that a statistics department would be opened and he would be placed as an officer in the said department as he had special training in the subject. On 4.4.1946 at the time of confirmation he made an application for confirmation as an officer and the superintendent who was in charge put his note on the application that he was satisfied with his work and that he should be appointed an officer after six months' training in all departments, and this proposal was also approved by the Manager. At this time the Employees' Association was formed and separate grades for officers and assistants were introduced. This employee was on leave when the question of his designation was discussed. The management stated that a further note would be put on his file, that necessary orders would be passed after three months of his rejoining and that he would be promoted if his service continued to be satisfactory. At that time the Association demanded that he should be promoted under any circumstances. On his return from leave when this employee made an application for recognition as an officer his claim was rejected on the ground of want of vacancy, although several officers were thereafter appointed from time to time. He was allotted duties which are given to officers and during the absence of officers he used to do their work.

The bank's case is that there is no such scheme as 'Graduate Apprentice Training Scheme'. He was recruited to the clerical cadre and in his appointment letter it was stipulated clearly that his future increments would depend on the directors, and it was also stipulated that he would have to pass the C.A.I.I.B. examination within four years from the date of his appointment, but he failed to do so. Notes put up by officers are nothing but suggestions and such notes are strictly confidential. As there is a heavy surplus staff of officers there is an urgent need for retrenchment in that cadre and in the Association's statement of claims they have demanded that the proportion of officers should not exceed 18 per cent. of the combined staff. The present proportion is 23 per cent. It is, therefore not possible to make any recruitment in the cadre. After considerable discussion the bank accepted the suggestion of Mr. P. R. Sen to put him into the officer's grade as soon as the next vacancy occurred, provided he was not in the meantime guilty of any misconduct. No further direction, therefore, is called for.

Akhil Chandra Das.—He is an assistant in the Accounts Department at the head office. He is a graduate, having been appointed on 28-8-1946 and his present emoluments are Rs. 180 plus Rs. 30 dearness allowance. The claim is for recognition as a junior officer. On 8-4-1945 he made an application to the Dacca branch manager for appointment as a junior officer and on 28-1-1946 he was appointed a junior officer and was asked to join on 1-3-1946, but could not join on account of his illness. He met the Managing Director and asked for renewal of his appointment and requested him to post him to Calcutta. On the basis of the original application a fresh appointment letter was issued on the 25th March 1946 offering him the same terms but appointing him as an assistant. It is stated on his behalf that when he approached the superintendent in charge about his designation the latter had said that it was only a mistake in typing and that he was assured that at the time of his confirmation after three months he would be confirmed as an officer. He has been doing supervisory work. The bank's case is that he was appointed assistant on condition that his future increments would depend upon the directors and that he would have to pass the C.A.I.I.B. examination within five years. He has not passed the examination. The bank is not aware of the alleged explanation given by the superintendent in charge regarding his designation; neither is the bank bound by it nor is it possible for the bank to verify that statement as the superintendent has left the bank. No evidence

has been produced before us regarding the assurance and even if such an assurance, as alleged, was given by the superintendent in charge we would have been constrained to hold that it did not bind the bank. We do not think that this is a case of victimization at all, and no order is called for.

Biswaswar Sen.—He is an assistant at the head office in the Foreign Bills Department and is a graduate. He was appointed on 2nd November 1945 and is getting at present Rs. 86 plus Rs. 30 as dearness allowance. His demand is for recognition as a junior officer. It is urged on his behalf that he was recruited under the Graduate Apprentice Training Scheme and was given a definite assurance that he would be confirmed as an officer. He has been doing responsible work and the appointing officer made a note on his appointment letter that he would be placed as a supervisor in the Current Account Department. The bank's case is that there is no such scheme as Graduate Apprentice Training Scheme, that in his appointment letter dated 4th October 1945 it was clearly stated that on the expiry of the probationary period he would be taken on the staff of the bank as an assistant and that he accepted that offer by his letter dated 9th October 1945. There is no evidence before us about the assurance given or that there was a binding contract between the parties. On the facts of the case we do not think it is a case of victimization. We cannot interfere.

Chandra Bhushan Tewary.—He is an assistant at the Maniktolla branch. He was appointed on 9th January 1944 and his present emoluments are Rs. 90 plus Rs. 30 as dearness allowance. His claim is for recognition as a junior officer. His case is that he worked in charge of the deposit section at Giridih and was doing supervisory work. Then he was transferred to Kodarma to do the work of a passing officer. He was at that time recommended by the internal auditors for being appointed as an officer. On 25th February 1947 the head office made enquiries in these terms: "In view of recommendations made by the internal auditors we would like to know if your branch requires a checking officer; if so, S. Tewary may be appointed as a passing officer with a power limit upto Rs. 2,500 for smooth work of your branch". On 1st March 1947 the Giridih office recommended his case and he continued to do the work as a passing officer. He was transferred from Giridih to Maniktolla where he has not been assigned any fixed kind of work. The bank's case is that he was never promoted to the position of an officer. By the letter of the 25th February 1947 the head office suggested to the Giridih branch the conferment of certain passing powers on him. The word "passing officer" was used loosely in that letter, as prior to July 1947 there was no officers' cadre of that designation. But the suggestion was not accepted by the Giridih branch and he was not given the passing powers. The Giridih branch manager pointed out the error to the head office. The head office advised the Giridih branch to treat the previous instructions as cancelled. From the letter written by the employee himself on 17th March 1947 it would appear that the suggestion was not given effect to. The letter from Tewary is as follows:—

"I have just come to learn that you have been pleased, under your letter No. 8GH/154 dated 25th February 1947 to confer upon me the power to pass cheques and vouchers upto Rs. 2,500 with immediate effect. I cannot but convey my heartfelt thanks to you for the recognition you have pleased to take of my honest and faithful service.

"However, I regret much to have to bring to your kind notice that although some time has elapsed since the above order has been passed, I have neither yet been informed officially of the fact nor allowed to implement the terms of the order.

“As such I would humbly request your honour kindly to do the needful in the matter at your earliest convenience.”

It has been alleged on his behalf that he was in fact a junior officer and his claim for recognition as such should be upheld and that he has been in fact degraded as assistant. The latter, however, destroys his own case. It seems to us that the bank's case is true. He was not given any powers and the suggestion made in the letter of the 25th February was cancelled. We do not think that this is a case of degradation and accordingly we make no order.

Prithwi Nath Gupta.—His present designation is an assistant at the Hazaribagh branch. He was appointed on 1st May 1940 and his present emoluments are Rs. 109 plus Rs. 30 as dearness allowance. He claimed promotion to the junior officer's grade, the reason for the demand being that since 1943 he had been passing cheques, etc., upto Rs. 1,000 and doing all the work of a supervisor. From February 1949 when the accountant of the Hazaribagh branch was transferred to Calcutta, the work of the accountant of the branch fell upon him, and although he has been a *de facto* supervisor for 6 years and branch accountant for one year he has not been recognised as an officer and no extra remuneration has been given, although he made several representations to the authorities. The bank's case is that he was an assistant and in small branches it usually so happens that assistants are granted passing powers. Hazaribagh was a small branch and did not require the services of two officers. After the bank refused the scale of pay he asked for, he was kept in the grade of an assistant as before. Thereupon he made an application on the 3rd August 1947 in which he stated that having been in the bank's service for some years and having done responsible work throughout his career he had expected that he would be given higher pay when there was a revision in the scale of pay. The head office in reply stated that no revision was possible and further that the conferment of signing power did not carry with it the designation of a junior officer. We do not think that this is a case of victimization and no order is called for.

Subodh Chandra Bose.—He is an assistant at the Dacca branch. He was appointed in January 1936 and his present emoluments are Rs. 125 plus Rs. 30 dearness allowance. He demands to be recognised as a junior officer. The reason for the demand is that he has been in the service of the bank for 13 years and that since May 1948 he has been doing the work of an accountant with all normal powers granted to the previous branch accountant. He holds a power of attorney and he officiates during the absence of the branch manager. He made a representation to the bank without any effect. The bank's case is that he is an assistant with joint signing powers. The mere fact that he has been granted signing powers does not entitle an assistant to promotion to officer's grade. His case is similar to that of Mr. Prithwi Nath Gupta of Hazaribagh. After partition the business of the Dacca branch declined and it did not require the services of two officers, and, therefore, nothing could be done for him. We do not consider this to be a case of victimization and do not make any order.

Anil Das Gupta.—He is an assistant at the head office of the bank. He is an M.A. in Economics with Statistics as his special subject and also a Bachelor of Law. He was appointed on 20th March 1946 and his present emoluments are Rs. 132-8-0 plus Rs. 30 dearness allowance. He wants to be promoted to the junior officers' grade and his claim is based on the fact that at the time of recruitment the bank proposed to train him and send him as manager for the contemplated Darjeeling branch. As the branch was not opened Das Gupta continued to be an assistant. He has from the very start been given responsible work which used to be done before by experienced officers, and he officiates in place of officers in their absence. The bank disputes all the allegations of fact

which form the basis of his claim with regard to recruitment, training, opening of the Darjeeling branch or officiating for officers in charge and has stated that his duties are purely of a clerical nature. In any event this is not a case of victimization and we make no order.

Ranjit Ganguli.—He is posted at the head office as an assistant. He was appointed in February 1935 and his present emoluments are Rs. 192 plus Rs. 30 dearness allowance. His demand is for recognition as a junior officer. The basis of his claim is that since 14th February 1949 he was entrusted with work of a supervisory nature and that clerical duties are being no longer assigned to him. He is a very old employee of the bank and has great organizational capacity which is recognised by the bank. The bank in reply states that it is the practice to entrust senior assistants with certain checking and passing powers, that Ganguli was given such powers in accordance with such practice, and that that cannot be the basis of a claim for promotion as an officer. This is not a case of victimization and no order need be made.

BHARAT BANK LIMITED

T. K. Pandle, M. M. Nath, Rambux Roy, Amar Nath Khanna, Ram Deo Singh.—The Bharat Bank Employees' Association filed the above cases. Notices were issued on the 19th November 1949 and on the 28 November the Association filed an application stating that they were not going to take up the said cases as the management had redressed their grievances. A joint application to that effect was filed on the 30th November that the matter had been amicably settled on the terms contained therein and the parties did not want to proceed further.

No order is necessary.

R. Subba Rao.—In this case the employee submitted an application dated the 19th April 1950 stating that he had settled his dispute with the Bharat Bank Limited and withdrawn all allegations and claims made in his petition dated the 13th March 1950. We, therefore, do not make any order.

CENTRAL BANK OF INDIA, LIMITED

Sukumar Mullick.—He states that he is a graduate and is of 25½ year of age. He was appointed cashier for Balasore office in July 1947 and belonged to the permanent staff. On the 30th April 1949 the bank served him with three months' notice terminating his service without assigning any reason. He had deposited security of Rs. 15,000 with the bank and though he handed over charge of his office the bank has not refunded the same. He asks for either reappointment in any capacity befitting him or return of the security at an early date. The bank's case is that he was appointed as cashier of the Balasore office on his agreeing to deposit a cash security of Rs. 15,000. He deposited a cash security of Rs. 10,000 but not being in a position to lodge the further sum of Rs. 5,000 in cash the bank agreed to accept a lien on the cash certificates of his uncle Mr. M. G. Chakravarty who stood surety for him for Rs. 5,000. Later on within a year Mullick wanted the bank to release this lien which the bank agreed to do if he furnished a fidelity guarantee insurance policy for Rs. 10,000 in lieu thereof at his own cost till he was able to furnish Rs. 5,000 in cash making up the total Rs. 15,000. He refused to comply with this suggestion. Thereafter the bank agreed to pay the premium for the fidelity guarantee policy as also a special increment if he entered into an agreement of service for a period of 5 years but he declined to enter into such an agreement. In the circumstances the bank was not prepared to continue him in service and gave him notice and paid salary for the notice period. His security deposit has already been paid to him.

There is hardly any dispute on the facts. It does not appear to us that this is a case of victimization. Mullick wanted reinstatement or in the alternative the return of his security but as the security has already been returned no further order is necessary.

Ravi Kumar Chatterjee.—He was appointed a cashier on 5th December 1941 at Nutanganj, Burdwan, under an agreement which provided that his service was terminable on three months' notice. He furnished security for Rs. 10,000. His case is that he was asked by the sub-agent Mr. S. K. Das, with whom there was some misunderstanding, to take charge of the new offices at Bolpur, Kulti and Raniganj in addition to his own duties and furnish a further security of Rs. 5,000 for the purpose. He was 'threatened' that if he failed to accept the new responsibilities, it might go against his service career. He took leave to arrange for the further security and when he joined duty on the 8th July 1946 he was called upon to explain his absence without leave and he was 'rudely taken to task'. He then tendered his resignation with an explanation. He was 'forced to make over charge' on the 9th August 1947 and he, therefore, claims three months' pay for being discharged without notice as also the bonus for the period. He states that the sub-agent was vindictive and he cited an instance of a short credit of Rs. 4,000 that was detected in the account and the same was realised from him wrongfully.

The bank's case is that on the 26th June 1946 he agreed to take up the responsibility of the cash department of the new Bolpur office that was proposed to be opened and deposit a further cash security of Rs. 5,000. On the 26th June 1946 he took leave for one day to arrange for the security deposit for the cashiership of the said office leaving the charge of his department to the care of the assistant cashier appointed under his guarantee. He remained absent for several days without obtaining leave or giving any intimation and he resumed his duty on the 6th July 1946, when an explanation was demanded from him for his absence from the 27th June 1946 to the 5th July 1946. The explanation given by him was not considered by the bank to be satisfactory and he submitted his resignation which was accepted. On account of his unsatisfactory behaviour and shortage of cash in his charge the bank itself was thinking of dispensing with his services, but as no suitable arrangement could be made he was allowed to continue till the 9th August 1947, when a new cashier was appointed and he was relieved of the bank's service on the 1st September 1947. He continued to work after submitting his resignation without asking to be relieved and without withdrawing his resignation and, therefore, the question of paying his three months' salary in lieu of notice did not arise. As to the statement that Rs. 4,000 was wrongfully realised from him, the bank states that Messrs. Banwarilal Panja & Sons informed them that Rs. 4,000 had been accepted by him under his signature and bank's seal but that this had not been credited to their account. Chatterjee was asked to explain and he stated that he did not deny his responsibility for the shortage of Rs. 4,000 and instructed the bank to pay the amount to the party concerned and debit his security deposit account and accordingly this was done. The bank treated him very leniently because the matter regarding the shortage of Rs. 4,000 was a serious one and in the ordinary course the matter should have been made over to the police, which might have caused a good deal of trouble to him. The bank offered to pay the withheld amount of his bonus being three months' salary if he expressed regret for the remarks which he had made against the sub-agent, but he refused to do so.

From the above statements submitted by the parties it appears that there is no dispute with regard to the facts that he submitted his resignation on the 8th July 1946 but that the resignation was not accepted and that he was allowed to continue in office till the 9th August 1947 and relieved of the bank's service on the 1st September 1947. The reason for this delay in relieving him is stated

by the bank to be that no suitable arrangement could be made for his substitute till then. It is clear, therefore, that the bank allowed him to work for over a year since the date of his resignation because it did not suit it to relieve him in the absence of a substitute. In the circumstances we feel that he would clearly be entitled to notice or in any event the payment of three months' pay in lieu of notice. The bank appreciated that he was entitled to the bonus for the year 1947 being three months' salary. We cannot see how that right can be forfeited by imposing a condition that he must express regret for the remarks which he is alleged to have made against the sub-agent. We, therefore, direct payment by the bank of the amount of bonus and the salary for three months in lieu of notice within 15 days of the publication of this award. We are not inclined to express any opinion as to the rights of the bank in deducting the amount of Rs. 4,000 out of the security deposit. We do not feel that this is a case in which we could make an order for reinstatement.

Prakash Lal Gera—The application of Prakash Lal Gera was taken up for consideration at Patna on the 26th September 1949. As the bank's representative was not ready the matter was adjourned and directions were given from time to time about the hearing of this application. By his letter of 14th January 1950 Gera informed the Tribunal that he was reappointed and he had nothing further to represent in the matter. In the circumstances no order is made.

HABIB BANK LIMITED

Application by the Habib Bank Employees' Union, Calcutta re. Interim relief.—The Tribunal by its award dated 2nd December and published in the Gazette of India dated the 31st December 1949, granted interim relief to the employees of seven banks in group C, excluding the Comilla Banking Corporation. The relief granted is contained in paragraph 10 of the award which runs as follows: "We direct that the total emoluments of a workman should not be less than those under the award relating to the Hindustan Commercial Bank, the difference between the total emoluments at present being earned and those awarded, if the latter be greater, being the interim relief to be given. The workmen of the said seven banks of this group (omitting the Comilla Banking Corporation) who are now getting more than the total of the emoluments payable under the said award should continue to get them". With regard to the other banks in group C where the employees did not demand interim relief, relief was granted as contained in paragraph 11 of the award where it was stated 'that at least some minimal scales of pay and dearness allowance should be fixed pending our final award in respect of the banks in group C other than those mentioned in paragraph 10 above' and certain minimal scales were accordingly fixed.

The employees of the Habib Bank who were in group C, in fact claimed interim relief by their application dated the 12th October 1949 and were also represented before the Tribunal but the name of this bank appears to have been inadvertently omitted from paragraph 9 of the award which enumerates the different banks whose employees applied for interim relief. They have been thus deprived of the benefits of interim relief as under paragraph 10 of the award and became only entitled to it under paragraph 11 of the award, namely, as to the minimal scales. In their application they asked for a correction of the award and claimed interim relief as under paragraph 10 of the award upto February 1950, when by a notification of the Government dated the 6th February 1950 the bank was put in group B in Schedule I of the order dated the 13th June 1949. They have argued that from March 1950 they should be entitled to interim relief as awarded to the employees of the group B banks.

Mr. Mullick appearing for the bank states that he has no objection to interim relief being granted to the employees of the Habib Bank at the scale allowed to the seven banks mentioned in paragraph 10 of the award. By the consent of the parties, therefore, we direct that those employees shall be entitled to the same relief allowed in paragraph 10 of the said award, effect being given to this direction from the date with effect from which the said award applies to the said seven banks. The employees also want that the interim relief as to banks of class B should apply to this Bank and its employees with effect from the date on which the Government ordered this bank to be put in group B. On this point, however, there is no agreement between the parties and we have no power to vary or interpret our award. The bank will of course be subject to the legal consequences of the said order, if any, as regards the relevant portion of the award.

HIND BANK, LIMITED

Application by the Hind Bank employees.—This is an application made by the Hind Bank employees requesting the Tribunal not to accept the statements and documents which were filed by the bank on the 12th May 1950. On that date the bank addressed a letter marking 'Private & Confidential' to the Chairman of the Industrial Tribunal dealing with the various issues covered by Schedule II of the order of the 13th June 1949. It also enclosed certain tables showing the average salary of clerks, subordinates and officers and also the financial position of the bank to prove that the working capital had been reduced and that as such it should not be placed in group C of Schedule I of the order of the 13th June 1949 but should be placed in a still lower category. On this application no order is necessary as the objections now urged will be considered in making our final award.

IMPERIAL BANK OF INDIA (BENGAL CIRCLE)

Forced retirement cases.—In the list of cases of victimization submitted by the Imperial Bank of India Indian Staff Association, certain specific instances have been given which have been described as cases of "forced retirement". The complaint made by Mr. Ghose on behalf of the Association is that the bank recently introduced the practice of making people retire on the completion of 25 years' service irrespective of their age. Under the rules of the bank the employees are entitled to serve up to the age of 55 years or for 35 years. The result of the practice has been to deprive the employees of their right to earn their salary for a longer period, and get higher pension. Dr. Gupta on behalf of the bank has stated that under rule 15 of the Pension Fund Rules an employee becomes eligible for pension if he serves for 25 years and that under the rules in force at present he can serve for 30 years and not 35. He has further stated that it is the practice of the bank that when an employee attains the pensionable age, i.e., when he served for 25 years, his services were critically reviewed and if it is found that he has outlived his usefulness the bank asks the employee to retire on pension. In Bombay Sir Jamshedji Kanga appearing on behalf of the Imperial Bank stated that in Bombay Circle the practice was that no employee as a rule would be asked to retire before he completed 55 years except in special cases when the bank found that there were sufficient grounds for termination of his services before that period. He did not say that after an employee had served up to the pensionable age his services were critically reviewed and steps were taken in the manner stated by Dr. Gupta. Rule 26 of the Pension Fund rules lays down that all assistants shall retire at 55 years of age or upon the completion of 30 years' service. We must, therefore, take it for our present purposes that an employee is normally allowed to continue in service till his 55th year, and the old rules of alternative 35 years' service has been replaced by 30 years' service. In the circumstances if an employee is-

asked to retire before he attains that age it must be deemed to operate as a punishment and the bank must show that there were reasonable grounds for dispensing with his services before time and that the employee was appraised of those grounds and had an opportunity of showing cause as to why his services should not be terminated before time. When these conditions are not complied with we shall be inclined to hold that the cases in which the employees have been asked to retire before 55 should amount to victimization. In the light of these observations, we shall consider the specific cases mentioned below.

T. D. Chaturvedi.—He was appointed at Lucknow branch on the 20th October 1924. On the 27th January 1949 the local board of the bank resolved that he should be called upon to submit his application for permission to retire from the bank's services on the 20th October 1949 when he would complete 25 years' pensionable service. It is not disputed that he would be on that date 56 years 8 months old. Shri Jyoty Ghose on behalf of the employee does not contend that he has been forced to retire but his complaint is that he had served in the Alliance Bank for 6 years and 7 months when that bank was taken up by the Imperial Bank and he was absorbed in the service of the latter bank. Therefore, according to him, this period of 6 years and 7 months should be added to the 25 years 7 months of his service which he rendered to the Imperial Bank in calculating the amount of pension. Dr. Gupta on behalf of the bank has drawn our attention to a circular issued by the bank to all its officers dated the 10th March 1924 in paragraph 2 of which it is stated "For the purposes of calculating service for pension and leave however, the service of all, officers and others, shall be taken as commencing from the date on which the whole time services of the employees concerned were availed of by this bank; the date of such employment should be carefully recorded by you in your Service Record Book." This circular appears to be one which was issued by the bank in connection with the appointment of the employees of the Alliance Bank who were to be absorbed in the service of the Imperial Bank. It is further pointed out by Dr. Gupta that the employee became entitled to be a member of the pension fund only from the 20th October 1924 when he joined the service of the bank. In the circumstances he would not be entitled to ask for his 6 years 7 months' service in the Alliance Bank to be added up to his whole time service in the Imperial Bank for the purposes of calculation of pension. Mr. Jyoty Ghose has drawn our attention to paragraph 5 of the circular which states: "Employees, officers and others whose respective ages at the date of appointment exceed 40 years, but do not exceed 45 years may at their option join the bank's pension fund * * *". According to him this rule entitles the employee to a pension if he joins between 40 and 45 years of age; that would be inconsistent with rule 15 of the Pension Fund rules which requires 25 years' service unless this paragraph was intended to give these employees of the Alliance Bank the benefit of the period of their service in that bank in calculating 25 years' service in the Imperial Bank. It is not for us to consider whether there is any inconsistency in the circular and the rule and if there is, what would be its effect. It has not been shown on his behalf that any other former employee of the Alliance Bank has been given the benefit of this interpretation of the circular and the rule. If that was so and if he was the only person denied of this benefit we might have taken the view that he has been victimized. But there is nothing on the record from which we can see that this case is one that is different from others and we cannot, therefore, say that he has been victimized and that this case calls for our interference. The question whether by reason of the fact that he is a sub-accountant and belongs to the supervisory staff we have no jurisdiction need not be considered, because considering the merits of the application we do not propose to make any order.

Sushu Chandra Roy.—On the 30th of March 1948 the officiating Chief Accountant addressed a letter to him saying that owing to his advanced years having a deleterious effect on his daily duties he should submit his application for retirement from the bank's service as from the 1st of January 1949 when he would have completed more than 27 years' service. He had joined the service of the bank on the 21st February 1921 and put in 28 years 1 month and 8 days' service on the 31st March 1949 including 3 months' leave preparatory to retirement which was granted to him with effect from the 1st January 1949. In its statement the bank states that he was 54½ years of age on the 1st April 1949 and had over 28 years' pensionable service to his credit. The bank was obviously referring not to the age of the employee but to the period of service when he was called upon to retire. He would, according to the view we have expressed, be ordinarily entitled to work upto September 1949 when he completes 55 years and if he would have been allowed to do that he would have to his credit a few months' more service and would probably be entitled to a proportionate increase of pension. He was deprived of earning that by being made to retire. In reply to the officiating Chief Accountant's letter of the 30th March 1948 he stated as follows: "I am physically perfectly fit to carry on my daily duties to the satisfaction of my superior officers and to prove this I am prepared to undergo any tangible test for your satisfaction". In his letter of the 22nd November 1948 addressed to the Secretary and Treasurer of the Imperial Bank he stated, "In obedience to the wishes of the Chief Accountant I beg to submit herewith my application for retirement from the bank's service as from 1st January 1949. As this is a case of premature retirement, I beg to request you that a period of six months be granted to me as leave preparatory to retirement on full pay". This request was not granted by the bank but he was granted 3 months' leave with full pay preparatory to retirement which took him upto the 31st of March 1949. It appears from his service record that he took sick leave only for 4 months and 3 days and privilege leave for 10 months and 22 days during the whole tenure of his service. In the memorandum dated the 1st January 1949 recommending his case for sanction to retire and to grant of pension the Secretary and Treasurer did not mention that his advanced age was having a deleterious effect on his daily duties. On the contrary it was stated that he had a satisfactory service record. In the circumstances we are not prepared to hold that the reason why he was asked to retire before he completed 55 years of age was as alleged, *viz*, that his advanced age was having a deleterious effect or even if it was that the deleterious effect was such that he could not have been allowed to serve for a few months more from April to September 1949. We, therefore, direct that he be paid within a fortnight of the publication of this award his full salary and allowance from April 1949 upto September 1949 minus any amount paid to him in respect of the said period as pension or otherwise, and that he should be paid such amount of pension as he would have been entitled to if he had been in service till September 1949, any arrears due in respect of past pension being also payable within a fortnight of the publication of this award.

Monindra Nath Chatterjee.—He joined the bank's service on the 3rd January 1921 as a steno-typist and had a satisfactory service record, as it appears from the memorandum submitted to the Local Board by the Secretary and Treasurer on the 5th of July 1948. It appears that he was permitted to retire from the bank's service with effect from the 3rd October 1948, being given 3 months' leave on full pay preparatory to retirement. His age on the date of retirement was 56 years when he had to his credit 27 years and 9 months of service. The Indian Staff Association in the list submitted to us described this case as one of forced retirement but during the hearing the case made was that he had not been paid dearness allowance, stenographer's allowance and house allowance

during the period of the said 3 months' leave. With reference to the case made during the hearing Dr. Gupta has drawn our attention to a resolution of the Central Board Committee passed on the 5th April 1948 which runs as follows: "The proposed new dearness allowance is payable to employees on ordinary leave, sick leave (inclusive of special leave) and furlough other than leave (including furlough) preparatory to retirement". Mr. Jyoty Ghose contended that this resolution was in contravention of the award of Mr. S. C. Chakravarty notified on the 22nd December 1948 but we do not find anything in the said award which supports Mr. Ghose's contention. The bank in its letter dated 12-8-1948 addressed to him stated that the practice of the bank was not to pay house allowance during the period of leave preparatory to retirement and there was no reason why an exception should be made in his case. His claim for Rs. 20 for stenographer's allowance was also contested. Considering the facts of the case and material before us, we do not think that this is a case of victimization. We, therefore, make no order.

Badri Prasad.—He was called upon to retire before he attained 55 years. The bank's case is that in December 1947 he was reported to be incapable of performing his duties owing to old age. As he was qualified for a pension in July 1948 and as he was incapable of carrying on the duties of a head messenger, the district Manager of Kanpur was instructed to call upon him to retire in July 1948. But he represented that he would complete 25 years' pensionable service in October 1949, and in these circumstances the bank permitted him to continue until the 22nd October 1949 when he was to complete 25 years' pensionable service. He would then be of 52 years 11 months old. There is nothing before us to show that he was incapable of performing his duties excepting the statement of the bank. That report was in December 1947 but he was allowed to continue in the service of the bank till the 22nd October 1949, that is, till two years after the report. We do not see that any case has been made out by the bank to show why he should have been called upon to retire on the 22nd October 1949 except on the ground that he had completed 25 years' pensionable service. This is not, in our opinion, a sufficient ground. Mr. Ghose has stated that no charge was made against him nor any explanation taken from him about the alleged deterioration of his work. Dr. Gupta states that he has not been retired but he has been kept in service pending the dispute before the Tribunal. The service record produced shows that for sometime his work was 'good' and later on it was 'fair' and, therefore, there has been, according to Dr. Gupta, a progressive deterioration. We are unable to appreciate the statement made on a report about him that in December he was incapable of performing his duties. In the absence of any satisfactory evidence as to his alleged incapability we are unable to see any reason why he should be called upon to retire. We therefore, direct that the order of the bank calling upon him to retire on the 22nd October 1949 should not be given effect to.

Abdul Razak Khan.—He was a head messenger at the Bareilly branch, having been appointed on the 11th May 1923 and confirmed in May 1926. He had to his credit 26 years' service from the date of his appointment and 23 years from the date of confirmation. He was 55 years old. The complaint in this case is that he has been deprived of the dearness allowance and bonus during the 3 months' leave during June, July and August, which was described in his application as leave preparatory to retirement. The bank's case is that no such allowance is granted for leave preparatory to retirement. Dr. Gupta urges that he having admitted in his application this leave as leave preparatory to retirement he is not entitled to the allowance. The only point that has been taken by Mr. Ghose for the employee is that privilege leave was due to him and that he being an illiterate person, the application being in English, it was drafted by

some one else, so that he did not understand the implications of the words leave preparatory to retirement having any adverse effect on his claim to the allowance and the bank should not take advantage of this fact. We do not think that in the circumstances of the case when privilege leave was due he should be deprived of the allowance merely on the ground that in his application he admitted that the leave was one preparatory to retirement for which no such allowances are granted. We, therefore, direct that whatever allowances were due to him for these three months should be paid to him within a fortnight from the date of the publication of this award.

S. D. Swami —This is a case of alleged forced retirement. His case is that on 5-1-1948 he received a memorandum from the bank as follows:—

“As you have completed 25 years of pensionable service you are called upon by the District Manager, Kanpur, to put up your application for retirement”.

He was 50 years of age at that time and he made representations to the bank for continuation of his service for the usual length of 30 years or up to the age limit of 55 years, but the bank did not pay any heed to such representation and “coerced him, by withholding his leave salary” to sign an application for retirement in which he had to say that “as the bank has decided to retire him from their service they may do so”. In October 1948 the bank completed his pension papers which he refused to sign and the bank without his concurrence made him retire with effect from 6th November 1948, granting him three months’ leave on full pay preparatory to retirement from 6th August 1948.

He joined the service of the bank as a clerk in 1922 and was appointed a head clerk in 1942 and was given the powers of an acting sub-accountant. He was getting a clerk’s pay, the maximum of which was Rs. 180 plus Rs. 2-8-0 per day for acting as sub-accountant.

On behalf of the bank, objections have been taken to the jurisdiction of this Tribunal on the grounds that he belongs to the supervisory staff which consists of officers, accountants and acting sub-accountants, and that as such he is not a workman within the meaning of the Industrial Disputes Act. On the merits the bank’s case is that as he was unable to cope with the work entrusted to him and reports about him were not satisfactory and as he was over 50 years of age and was to complete his 25 years of pensionable service shortly, he was called upon and made to retire with effect from 6th November 1948, being granted three months’ leave with full pay preparatory to retirement.

In such cases, when a person has been made to retire before he has completed 55 years of age, we have already held that such retirement cannot be enforced under the provisions of the bank’s bye-laws and that if it is so enforced the bank’s action must be taken to be a form of punishment, for which there must be justifiable grounds. The bank’s ground is that the reports about him were not satisfactory. It has been stated on his behalf, and this has not been controverted, that he was not informed anything about the reports against him, nor was any explanation called from him with regard to these reports. On this ground itself we are inclined to hold that he has been made to retire wrongly. In spite of objection on his behalf, we have looked into the confidential reports date 6th November 1946, December 1947 and 2nd January 1948. The report of 6th November 1946, is as follows: “Careful but rather slow worker. He is getting on in years now and he is rather a nervous type. His health also does not appear to have been good recently and though somewhat lacking in initiative, he is a hard and willing worker.” The 1947 December report is as follows: “If possible transfer Mr. S. D.

Swami and replace him by some Sub-Accountant who can put in better and harder work". The report of 2nd January 1948 is as follows:—

"Ability Average.

Work.

Application, diligence, accuracy,
neatness, speed. }

Intelligent. Fairly accurate. Unable to
keep pace with increase in work.

Business capacity: Fair.

Conduct towards constituents: Good.

Handling of staff. Satisfactory.

General conduct: Good.

General Remarks: His work is satisfactory but he needs being reminded what is to be done'.

On this report the District Manager remarked: "An unsatisfactory report. His shortcomings should be pointed out and he should be instructed to eradicate them as soon as possible, if he wishes to be retained in his present grade". The Agent was asked to submit a special report on this employee after 3 months

No special report, in pursuance of the above remarks by the District Manager, appears to have been made as no such report has been produced before us. This last report does not appear to us to be one, on which an employee could be punished by compelling him to retire before he had completed 55 years

As to the preliminary objection about jurisdiction, his case was taken up by the Union and we hold, therefore, that this Tribunal has jurisdiction to deal with his case. Accordingly we direct his reinstatement within a month from the publication of this award and payment to him within the same period his salary and allowances from the time he was made to retire, less any amount which he has drawn by way of pension.

Kali Charan Mehra.—This is a case of alleged forced retirement. The complaint is that he was called upon by the bank to submit an application to retire with effect from the 1st October, 1948 when he would complete 25 years of service. On that date his age would be 46 years 3 months and as such, under the rules of the bank, he could remain in service till he completed his 55 years

The bank's case is that in February, 1948 in view of unsatisfactory reports regarding his work and the fact that he would be shortly earning his pension he was called upon to submit an application for permission to retire with effect from the 1st October, 1948 when he would complete 25 years and would be entitled to a pension. He was retired as from the 1st January 1949, after having been granted three months' leave on full pay preparatory to retirement. There having been some discrepancy in his statements with regard to his age, he was granted an enhanced pension based on 27½ years service after proof of his age was furnished. We have expressed our view that normally an employee should be entitled, according to the rules of the bank, to serve till he is 55 years of age, that if he is made to retire before that age, it could be only by way of punishment and, that therefore, he should be given an opportunity to—explain why he should not be made to retire. From the statement of the bank, it is clear that he was made to retire by way of punishment on account of unsatisfactory reports against him. On 14th February 1948, in connection with his retirement, he made an application to the Manager, Kanpur district, stating that he was 47 years old and possessed good health, that he could

easily serve the bank for 8 or 4 years more, and that ever since he had joined the service he had been discharging his duties to the entire satisfaction of the superiors. He further stated that he was a poor man and had a large family to maintain and that it would be impossible for him to maintain the family with the small pension. The manager made a report to the Secretary and Treasurer on the 21st February 1948, enclosing the representation made by him and his service report. In his said report he referred to the agent's opinion which is as follows: "Babu Kali Charan Mehra has been keeping indifferent health for the last two years and his work has been far from satisfactory, also being weak and infirm he is incapable of any improvement due to his old age. I am of the opinion that instead of making him a drag on the rest of the staff he should in his own interest as well as of the bank's be made to retire on proportionate pension after allowing him three months' leave preparatory to retirement". The Manager agreed with this view in the report. The Secretary and Treasurer of the bank in his memorandum to the Board dated the 3rd January 1949 stated that Mehra had been instructed to submit his application for permission to retire, that although he had asked for extension of service he had been informed that such extension could not be granted and that he had been relieved of his duties on the 30th September, 1948. It was further stated that in spite of the repeated instructions he had not submitted any application for retirement nor had he returned the usual pension statement which had been sent to him for confirmation. The Secretary and Treasurer also gave his opinion regarding his service record since 1942. The service record shows that from 20th October 1942 to 2nd August 1944, there were adverse remarks against him and that at one time it was considered that he should be entitled to no increment unless his work attained the required standard. In 1944, from 31st October 1944, though the report about him was 'fair' it was stated he was 'incapable of making an improvement'. On 14th March 1945, the report was 'satisfactory' but from 1st November 1945 to 1st January 1948, the reports were against him. There is nothing to show that these adverse remarks made from time to time since 1942 upto 1948 were brought to his notice before he was asked to submit his application to retire. But it is clear that on account of his inefficiency that the bank retired him as soon as he earned his pension. On the face of the reports, if any explanation had been asked for and if, after considering the explanation, the bank formed the opinion that he was so inefficient that he could not give useful service to the bank any longer, nothing could be said by us. In this case, however, we find that successive agents from 1942 to 1948 made reports about his uselessness, it is difficult to conceive that he could have offered any satisfactory explanation to show that he was not 'lazy' or 'dull' or 'lacking in initiative' and not of the required standard, as stated in the different reports.

In the circumstances we do not think that the failure to give the employee an opportunity to explain his conduct is fatal in this case and we are unable to direct reinstatement. In view, however, of the possibility that if he had been warned in time he might have made a serious effort to improve, we would recommend to the consideration of the management the payment of some compensation; in our opinion, four months' pay would be sufficient compensation.

Ram Dulari.—The complaint in this case is that he served as one of the subordinate staff for 22 years without being confirmed and he was harassed by being transferred from branch to branch. The relief claimed is that he should be confirmed and the order for transfer cancelled during the pendency of these proceedings. It is stated on behalf of the bank that he is a godown watchman and belongs to the non-pensionable subordinate staff and that such employees are not confirmed in the permanent staff as their retention in service depends

upon the continuance of the bank's advances against the respective godowns pledged with the bank. It was stated by Dr. Gupta on behalf of the bank that his case was similar to the case of Kebab Ram in the award of this Tribunal made on the 20th of February 1950 and published in the Gazette of the 18th of March. Dr. Gupta in that case produced a circular showing that godown durwans enjoyed the same privileges as permanent non-pensionable staff, *e.g.*, as to gratuity. Thereupon, Mr. De appearing on behalf of the employee stated that in that event no order would be necessary and so the Tribunal made no order. As the question of this category of persons being made permanent is being considered by us in our main award we can only say that the question of Ram Dulari being made permanent will be regulated by the directions given by us in that award.

R. N. Srivastava.—He joined the services of the bank in 1923 and held the post of agent at various places. Between 1944 and 1948 he was the agent of Mathura branch. His complaint is that he was summarily dismissed without notice or without any explanation being called for, on the ground of misconduct and wilful neglect of duty in connection with certain demand bills and cheques discounted by him while he was agent at Mathura. The bank forfeited his claim to the Pension Fund and withheld its contribution to the Provident Fund. He has claimed 5 years' pay and allowances and bonuses, etc., amounting to Rs. 64,200 and 10 years' pension at the rate of Rs. 360 per month amounting to Rs. 43,200, making a total sum of Rs. 1,07,400. He has also claimed Rs. 50,000 toward damages for loss of prestige and honour. The bank has stated that he was given an opportunity to explain his conduct and his explanation was considered by the bank which made full enquiries into the matter and was satisfied with his misconduct and neglect of duty before dismissing him under the terms of the agreement and bye-laws of the bank. His claim to the pension fund and the bank's contribution towards the provident fund was forfeited under the rule of the funds. The bank also took a preliminary objection to the jurisdiction of this Tribunal on the ground that he was not a workman.

Having regard to the view that we have taken of the preliminary objection, it has not been necessary for us to go into the question on facts. We have come to the conclusion that this Tribunal has no jurisdiction to deal with this case on the following grounds. Admittedly he is an officer. In our previous awards we interfered in cases relating to an officer only when we were satisfied that the workmen took up the cause of such officer and initiated a dispute with the employers, so that it became an industrial dispute within the meaning of section 2 (k) of the Industrial Disputes Act of 1947. In this case it appears that there was correspondence between him and the Government, and on the 14th September 1949 replying to his letter the Under Secretary to the Government of India, Ministry of Finance stated that he might, if he so desired, apply directly to the All India Industrial Tribunal (Bank Disputes) regarding his dismissal. It does not appear that before the publication of the order dated the 13th June 1949 there was any dispute between the workmen and the employer with regard to his case, nor does it appear that at any stage of the proceedings, which started from the 16th of September 1949, by an application by himself before this Tribunal, the workmen got interested in his case or started any dispute with the employer. The only evidence which is relied upon on his behalf is a letter of the 17th February 1950, written to this Tribunal by the General Secretary of the Imperial Bank of India Indian Staff Association (Bengal Circle) which runs as follows:

"Shri R. N. Srivastava, a victimised employee of Imperial Bank of India, Mathura Branch, has authorised us to represent his case before

the Tribunal. We shall be glad if you please take up the case of Shri Srivastava along with other victimization cases in Calcutta."

To the Tribunal the Indian Staff Association submitted a list of specific cases of victimization, but Mr. Srivastava's case found no place in this list. When the hearing of the general issues in the main adjudication was proceeding in Calcutta this letter of the 17th February 1950 was sent to the Tribunal and it is contended that by so doing the Association should be deemed to have put this case in the said list. His case was taken up on the 9th of March 1950, by Mr. J. N. Majumdar at Calcutta when in the course of discussion regarding the objections as to jurisdiction, he enquired of Mr. De, who appeared for the employee, whether in the absence of any proof that the workmen took up his cause, the Tribunal could hear the case without a fresh reference by Government. Mr. De conceded that the Tribunal had no jurisdiction without such reference. Thereafter on the 5th June 1950, Mr. Srivastava personally sent a reminder to this Tribunal, which was marked as the third reminder, to hear his case on the ground that he was advised by the Ministry of Labour, Government of India, New Delhi, that no 'order of reference' to the Tribunal was necessary, as item 18 of Schedule II to the Central Government's Order, dated the 18th June 1949 specifically authorised the Tribunal to hear all victimization cases which are cited by the employees. Government obviously did not know that the employees had not cited his case at all and the circumstances under which this case had been put in the list. The case was again taken for hearing and the same question of jurisdiction was argued on his behalf by Mr. Chowdhury, who conceded that there was no other evidence to prove that the workmen had taken up his case before or subsequent to 18th of June 1949 except the letter of the 17th February 1950, referred to above. He also conceded that if the workmen had not taken his case, it would not amount to an industrial dispute and as such it would not be competent for the Tribunal to deal with this case. He, however, faintly argued,—that the letter of the 17th February 1950, showed that the workmen took up his case in any event on that date and as such it became an industrial dispute. He further argued that the order of the 13th June 1949 referred existing or apprehended dispute and as such this dispute, about which Government had previous knowledge was also in their mind when they mentioned apprehended dispute. Now the letter of the 17th February 1950, in our opinion, does not prove that there had been a dispute between the staff association and the employer with regard to this case. It was an intimation to the Tribunal that Srivastava had authorised the Indian Staff Association, to represent his case before the Tribunal. This was probably done in purported compliance with the provisions of section 36 of the Industrial Disputes Act. The words used '.....has authorised us to represent his case' are significant and cannot, in our opinion, be construed to mean that the workmen had raised the dispute with the employers regarding this case. Under the circumstances, we must hold that the Tribunal could not deal with this case because he was not a workman and because the workmen did not raise any dispute with the employers regarding his employment, non-employment, etc., within the meaning of 'industrial disputes', nor was it an apprehended dispute.

Gopal Lal Sah.—He was a khazanchi in the treasury pay office at Gonda from 3-1 September 1940. When another branch was opened at Bahraich he became the khazanchi of that branch also and since then he worked as khazanchi of both the places till the 8th May 1949 when the agent of the bank at Gorakhpur terminated his services with immediate effect, and he was asked to hand over charge at both the places to two other persons nominated by him. The appointment of the khazanchi was made under an agreement.

Mr. H. K. Ghosh, counsel, appearing on behalf of this employee at Lucknow contended that his services could not be terminated unilaterally in view of the terms of the agreement between him and the bank, and further that under regulation 50 made under section 22 of the Imperial Bank of India Act the dismissing authority is the Central Board and there was nothing to show that the agent had been authorised by the Central Board to dismiss him; he contended, therefore, that the dismissal was bad. It was further urged that rule 48 of the Book of Instructions had not been followed, inasmuch as no explanation was called for nor any report sent to the head office. It is not necessary for us to consider these contentions and decide the case on merits inasmuch as we accept the contention of the bank that the Tribunal has no jurisdiction. There is no question that he is not a workman. Having regard to the view that we have taken in other awards that if the workmen take up a case of a non-workman it would constitute a valid industrial dispute and the Tribunal would have jurisdiction to consider the case, we could only interfere if we were satisfied that his case was so taken up. Now it appears that the application was made by the employee personally to the Tribunal on the 3rd August 1949. There is nothing on the record to show that on or before that date the workman took up his cause. In the list of cases which was submitted by the Imperial Bank of India Indian Staff Association, regarding victimization his case was not mentioned. It was only when the Tribunal was hearing victimization cases at Calcutta that it was mentioned by Mr. Jyoty Ghose for the Association that this case might be also taken up along with other cases and this case was ordered to be put in the list. This case was not taken up at Calcutta but at his request at Lucknow where he appeared through counsel. The Imperial Bank of India Indian Staff Association did not take any interest nor did it appear nor did the bank appear. After hearing his case at Lucknow the hearing was adjourned to Calcutta with a view to hearing the bank's reply. The Imperial Bank of India Indian Staff Association again did not appear. The Tribunal sent a telegram to his counsel Mr. Ghosh informing him of the date of hearing to enable him to appear, if he was so instructed, to reply to the case made out by the bank. Mr. Ghosh did not appear. His cause not having been taken up by the Imperial Bank of India Indian Staff Association at any relevant stage we must hold that his case does not constitute an industrial dispute and that the Tribunal has no jurisdiction to deal with this case.

Behari Lal Sah, Hayat Singh, Har Dutt—In these cases we had already made our award which was published on the 18th of March 1950. The bank having allowed them to continue in its service unless they themselves wished to retire, no directions were given by us. On the 3rd March 1950 these cases were again mentioned before us and Dr. Gupta appearing on behalf of the bank suggested that the question of the age of retirement was a general issue and would have to be considered by this Tribunal. He urged that these cases might be mentioned again in the final award while considering that issue. We do not think it is necessary to say anything further except that their cases will be regulated by the terms contained in the final award.

MODEL BANK OF INDIA, LIMITED.

S. K. Chatterjee.—The claim is for payment of the bank's contribution to the provident fund, amounting to Rs. 130-6-0 with interest at 6½ per cent. His case is that he was serving the bank at the Rampurhat branch from April 1945 to March 1949 when his services were terminated. After a service of over three years he was transferred to Calcutta but as his son was ill he requested the authorities to cancel the transfer till his recovery but they did not accede to his request and therefore he took leave for one month with pay which was due. After he resumed work the bank terminated his services from March,

1949. According to him his services were dispensed with without any fault of his. He asked for the bank's contribution to the provident fund which was not paid. The bank has filed a statement in which it is stated that there was never any registered provident fund in the bank nor any rules and regulations regarding the same. Certain members of the staff made voluntary contributions out of their salary as a sort of deposit and styled it the provident fund deposits account, with a view to draw upon it at the time of termination of their services. There was no arrangement regarding the bank's contribution to the fund.

Neither of the parties has appeared and excepting the respective statements filed by them there is nothing else on the record to support the allegations of either party. In our opinion we cannot hold on the allegations in this case that there has been victimization.

(Sd.) K. C. SEN,
Chairman.

(Sd.) J. N. MAJUMDAR,
Member.

(Sd.) N. CHANDRASEKHARA AIYAR,
Member.

BOMBAY;

Dated the 9th August, 1950

[LR-90(48).]

New Delhi, the 31th August 1950

S.R.O. 578.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government is pleased to publish the following award of the All India Industrial Tribunal (Bank Disputes), in the matter of alleged stoppage of promotion of certain employees of the Chartered Bank of India, Australia and China, Calcutta:—

BEFORE THE ALL INDUSTRIAL TRIBUNAL, (BANK DISPUTES),
BOMBAY

ADJUDICATION

BETWEEN

The Chartered Bank of India, Australia and China

AND

Its Workmen.

In the matter of alleged stoppage of promotion of 18 employees.

Appearances:

Mr. S. K. Mallick, Attorney-at-Law of Messrs Sanderson & Morgans, Solicitors Calcutta, for the Chartered Bank.

Mr. M. Sen, Counsel and Mr. Gajendra Nath Banerjee, Secretary, Chartered Bank Employees' Union, Calcutta, for the employees.

AWARD

This application was made on 10th October 1949 by the Chartered Bank of India, Australia and China, Local Staff Employees' Union, Calcutta on behalf of 18 employees of the said bank working in its cash department. The complaint was that they were all clerks and that the increments due to them were

suddenly stopped with effect from July 1947. The bank's case is as follows: Out of those 18 men 16 are poddars or sarkars, one a receiving teller and another a paying teller. They were never appointed or designated, nor did they work as clerks, but were appointed to work as poddars, tellers or sarkars as the case might be. Prior to September 1946 there were no regular grades among clerks or such employees as the 18 men in question. In September 1946 3 grades, A, B and C, were introduced by a Circular, but therein no specific mention of poddars, sarkars or tellers was made. The award in the case of the staff of the Imperial Bank of India was then pending and the bank, on 19th February 1947, announced its intention of adjusting salaries on the basis of the said award. Before the said award was published, however, all the employees on the clerical staff as well as these 18 men were graded according to the grades introduced by the Circular of September 1946 and their salaries adjusted accordingly with effect from the 1st July 1946. After Mr. Gupta's award regarding the Imperial Bank of India was published on 6th September 1947, the bank found that these men were being paid much more than would be allowable to poddars, tellers and sarkars under the said award. The bank, therefore, did not give them further increment. The receiving teller and the paying teller among the 18 men were placed in grade II of the clerical grade.

The Union denied that before Mr. Gupta's award there existed any categories of employees designated as poddars, tellers or sarkars. It took its stand on the letters of appointment of the 18 men as members of the local staff, a form used also in the case of the admitted members of the clerical staff, and said that these men had to do the work of poddars, tellers and sarkars as well as of clerks, and that no distinction was ever maintained between them and the other members of the clerical staff. There was a system of marking for purposes of promotion which was applied to both; after the introduction of grades in 1946 both were placed in the grades A, B and C in the same manner; and after the revision of the terms of service in 1946 and 1947 the salaries of both were increased and adjusted in the same way.

We are unable to accept the contention of the Union that before Mr. Gupta's award the categories of poddars, tellers and sarkars did not exist. The bank has produced the personnel register kept by its Accountant from 1934 which clearly shows the existence of such categories. Mr. M. Sen for the Union was not prepared to admit the register as genuine, but having looked into it we see no reason for not accepting it as such. There is, however, no specific mention of such categories in the bank's circular of September 1946 and the grades A, B and C introduced thereby appears to have been applied to them as well as to those who were doing clerical work without any distinction. Those letters had been in use in the bank in relation to such employees even prior to September 1946, and the bank's contention that they were used with reference to a system of marking may be correct with reference to such period, as admitted by Mr. De on behalf of the Union.

Though the bank applied its circular of September 1946 and the subsequent adjustment uniformly in the case of these men and those who did clerical work, it appears to have re-examined the position after the publication of Mr. Gupta's award (in September 1946) in accordance with the intimation it had already given to the staff. It then found that the poddars, tellers and sarkars had got large increases in their salaries and had been getting more than they would have been entitled to under Mr. Gupta's award. The union's allegation that those men also worked as clerks was denied by the bank and no attempt was made by the Union to prove the said allegation. The question that arises is, was the bank, therefore, justified in stopping the increments of these 18 men when they were led to expect them along with the other employees?

It does not, however, appear that those men or the Union were altogether taken by surprise by such stoppage of increments. On 28th November 1947 the Union's Committee of Management resolved to bring certain matters to the notice of these authorities; those included the following:

"Grades and Adjustment.—As there is much difference in the scope of this Bank with that of the Imperial Bank of India, and as there was practically no grade in existence before this movement and as there is no difficulty in fixing and adjusting the salaries here, as was in the case of the Imperial Bank consisting of all the branches within the Province of Assam, Bengal, Bihar, United Provinces, Delhi, Punjab and the North Western Province, as was intimated to the Authorities, time scale with fixation of grades according to the scale recommended in the award of the Imperial Bank will suit us, since the old clerks, who have already suffered for long long years, should be justly remunerated. As the Authorities did not think it proper to consult the Union or the responsible clerks of the departments, the method of adjustment adopted by the Authorities is not known to us. The following irregularities should be brought to the notice of the Authorities.—

Poddars and Sarkars.

- (i) On suitable enquiry it has been found that the duties of the above-named posts in this Bank are quite different from those of the Imperial Bank. For the well-being of the department they have got to work for the tellers and clerks too
- (ii) These people come off from respectable families and as such, they should be allowed to draw the minimum required for their maintenance. Further recruitments may be filled up in future from amongst the menials if the Bank so desire.
- (iii) These people have got great responsibilities in dealing with Cash and insufficient salary may undermine their morals which is not desirable

They should therefore be placed in the Junior Grade at the least.

Tellers.—The heads of the Tellers in Cash Department are practically Cashiers in miniature and they should be allowed the Senior Grade."

The grounds urged on behalf of the poddars and sarkars appear to us to be in the nature of considerations in support of a prayer rather than a demand in an industrial dispute, particularly when it is remembered that the Committee began its case regarding "Grades and adjustment" by saying that a time scale in accordance with the Imperial Bank award "will suit us" and when what is stated about poddars and sarkars was by way of pointing out "irregularities" which "should be brought to the notice of the authorities". If there was only a prayer but no such demand as in the essence of an industrial dispute, the contention of the bank that there was no dispute regarding the questions raised by the application of 10th October, 1949 prior to the 13th June 1949 would appear to be correct. In support of this view are the facts that (1) the Union's original statement of demands dated 3rd August, 1949 contained no mention of any grievance specifically regarding these men, (2) the application of 10th October, 1949 was made orally and (3) on 1st December 1949 Mr. M. Sen on behalf of the Union filed a copy of a "supplementary statement" complaining of the stoppage of increments of the 18 men which the Union had addressed to the Accountant of the bank, no separate application addressed to the Tribunal being filled at any time.

It seems to us that although the bank introduced revised grades and adjustment in September 1946 and February 1947 it intimated to the staff as early as 10th February 1947 its intention to follow the Imperial Bank of India award and that, therefore, after the publication of the said award its action in further revising the scales of pay, etc., in accordance with it cannot be said to be unjustified or to have been an unfair baulking of expectations legitimately aroused. In this view we are unable to hold that any of the 18 men have been victimized by the bank. Their work is not the same as that of clerks and in our main award we have accepted the view of Mr. Gupta that they do not deserve the same scales of pay as those who do regular clerical work. By the earlier revision they admittedly got substantial increase in their salaries; and if thereafter they did not get the same advantage as the clerks under the terms of the Imperial Bank of India award which was applied (without the Union's opposition), it cannot, in our opinion, be said that they have any valid complaint. Accordingly we must reject the application of the Union on behalf of these men. We must observe, however, that the bank has all along maintained no distinction between them and the clerical staff until the publication of Mr. Gupta's award. In the circumstances we feel that we should be justified in recommending that if any of them are found to be competent to be promoted to the clerical grade, particularly those who have served for a sufficiently long period (e.g., 10 years), they should be given the benefit of such promotion.

K. C. SEN, *Chairman.*

J. N. MAJUMDAR, *Member.*

N. CHANDRASEKHARA AIYAR, *Member.*

BOMBAY:

Dated 16th August, 1950.

[L. R. 2(268).]

S. C. AGGARWAL, *Dy. Secy.*

New Delhi, the 31st August 1950

S.R.O. 579.—In exercise of the powers conferred by section 10 of the Coal Mines Labour Welfare Fund Act, 1947 (XXXII of 1947), the Central Government is pleased to direct that the following amendment shall be made in the Coal Mines Labour Welfare Fund Rules, 1949, namely:—

In the said Rules, for rule 9, the following rule shall be substituted, namely:—

"9. *Remuneration to members.*—Every non-official member, including a non-official member co-opted under rule 7 shall be entitled to the following allowances for attending each meeting of the Coal Mines Labour Welfare Fund Advisory Committee or any of its Sub-Committees or the Housing Board or any of its Sub-Committees provided that the non-official member is not resident at the place where the meeting is held:—

Travelling allowance

- | | |
|---------------------------------------|--|
| (a) In respect of journey by air ... | Actual fares paid. |
| (b) In respect of journey by rail ... | 1½ first class fares. |
| (c) In respect of journey by road ... | Where the journey is performed entirely by road, mileage at the rates admissible to Central Government servants of the first grade, subject to the condition that the member concerned furnishes |

certificate to the effect that the journey was undertaken by road to avoid loss of time which journey by rail would have entailed, provided further that if the distance travelled by road exceeds 75 miles in a single journey, mileage allowance will be payable only for the first 75 miles for each journey.

Daily Allowance

Rs. 10-0-0 (ten) for each day of any meeting or meetings subject to a maximum of Rs. 30-0-0 (thirty) for any one calendar month.

Non-official members, who are resident at the places where the meetings are held, shall be entitled only to the actual cost of conveyance hire subject to a maximum of Rs. 10/- (ten) per day.

The allowances referred to above shall be admissible on production of a certificate by the non-official members to the effect that they have not claimed or drawn travelling or daily allowance in respect of the journeys and halts from any other source".

[No. LW-1(3)/49.]

P. N. SHARMA, Under Secy.